

March 06, 2012
City Commission Room, 700 N. Jefferson, Junction City KS 66441

Mayor Pat Landes
Vice Mayor Jack Taylor
Commissioner Cecil Aska
Commissioner Scott Johnson
Commissioner Jim Sands
City Manager Gerry Vernon
City Attorney Catherine Logan
City Clerk Tyler Ficken

1. 7:00 P.M. - CALL TO ORDER:

- a. Moment of Silence.
- b. Pledge of Allegiance

2. PUBLIC COMMENT: The Commission requests that comments be limited to a maximum of five minutes for each person.

3. CONSENT AGENDA: All items listed are considered to be routine by the City Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.

- a. Consideration of Appropriation Ordinance A-5 2011 dated February 14th 2012 through February 27th 2012 in the amount of \$354,958.66.
- b. Consideration of the February 21, 2012 City Commission Meeting Minutes.
- c. Consideration of Tallgrass Cycling event in the Olivia Farms subdivision on May 26, 2012.
- d. Consideration of award of bid for 100 Trojan brand, model 1275 golf cart batteries.
- e. Consideration of award of bid Athletic Fields Maintenance, Rather Stadium. (Bid NO-PR 12-001)
- f. Consideration of a Memorandum of Understanding between the City of Junction City and the Junction City Junior Baseball Association for the use of City facilities

4. PUBLIC HEARING:

- a. A public hearing to discuss amendments to the Neighborhood Revitalization Plan.

5. UNFINISHED BUSINESS:

- a. Consideration of Ordinance G-1110 regarding city code updates to wastewater codes. Finance Director Beatty presenting (Final Reading).
- b. Consideration of Ordinance G-1109 regarding City code update of water code. Finance Director Beatty Presenting (Final Reading).
- c. Consideration of Ordinance S-3104 rezoning of property at the southeast corner of Washington and Chestnut from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District. Planning & Zoning Director Yearout presenting (Final Reading).
- d. Consideration of Ordinance S-3105 rezoning of numerous properties on the south side of 7th Street Adams Street and Garfield Street from “CSP” Special Commercial District to “RM” Multiple Family Residential District. Planning & Zoning Director Yearout presenting (Final Reading).

5. NEW BUSINESS:

- a. Consideration of Resolution R-2666 to amend the Neighborhood Revitalization Plan. City Attorney Logan Presenting.
- b. Consideration to receive donation of Animal Shelter quarantine building, and approve location at the Animal Shelter. Lisa Junghans presenting.
- c. Consideration of Award of Bid to the lowest and most qualified bid to J & K Contracting, LC for the Riverwalk Landing Storm Sewer Improvements and approval of related construction easements. Assistant City Manager McCaffery presenting.
- d. Consideration of a professional service contract to Olsson Associates for the development and completion of a Nutrient Removal Study for the Southwest Wastewater Treatment Plant. Assistant City Manager McCaffery presenting.
- e. Consideration of a professional service contract to Albert Benesch & Company for the development and completion of separate assessment studies for the Water, Southwest Wastewater and East Wastewater Treatment Plants. Assistant City Manager McCaffery presenting.

6. COMMISSIONER COMMENTS:

7. STAFF COMMENTS:

8. EXECUTIVE SESSION:

- a. Executive Session to discuss issues of attorney client privilege to include the Commission, City Attorney, and City Manager.

9. **ADJOURNMENT:**

Backup material for agenda item:

- a. Consideration of Appropriation Ordinance A-5 2011 dated February 14th 2012 through February 27th 2012 in the amount of \$354,958.66.

City of Junction City

City Commission

Agenda Memo

March 6th, 2012

From: Cynthia Sinkler, Water Billing and Accounts Payable Manager
To: City Commissioners
Subject: Consideration of Appropriation Ordinance A-5 2012 dated February 14th-2012 through February 27th 2012 in the amount of \$354,958.66

Background: Attached is listing of the Appropriations for –Feb 14th-Feb 27th 2012

Appropriations –Feb 14 th –Feb 27 th 2012	<u>\$354,958.66</u>
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For Consideration of EFT payments due:

KDOT	<u>\$300,370.21</u>
Veolia Water	<u>\$1767.59</u>
Veolia Water	<u>\$1,110,181.10 (Jan & Feb)</u>

For Consideration of Bills due before next Commission:

Verizon Cell Bill	<u>\$3,824.23</u>
EAE Enterprises	<u>\$696.00</u>
J & K Contracting	<u>\$13,429.84</u>

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	LOYAL AMERICAN LIFE INSURANCE COMPANY	2/10/12	CANCER PLAN	502.74
			2/24/12	CANCER PLAN	475.09
		FAMILY SUPPORT PAYMENT CENTER (MISSOURI	2/24/12	MACSS #41061331/ CV103-753	154.85
		INTERNAL REVENUE SERVICE	2/24/12	FEDERAL WITHHOLDING	25,985.22
			2/24/12	SOCIAL SECURITY WITHHOLDING	3,053.17
			2/24/12	MEDICARE WITHHOLDING	3,233.63
		ING LIFE INSURANCE & ANNUITY COMPANY	2/24/12	ING	2,850.77
		AMERICAN UNITED LIFE INSURANCE COMPANY	2/10/12	AMERICAN UNITED LIFE	616.21
			2/24/12	AMERICAN UNITED LIFE	616.21
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CRDOSS BLUE SHIELD	856.48
			2/24/12	BLUE CROSS BLUE SHIELD	750.96
			2/24/12	BLUE CROSS BLUE SHIELD	1,267.26
			2/24/12	BLUE CROSS BLUE SHIELD	2,969.08
		JUNCTION CITY FIREFIGHTERS AID ASSOCIATION	2/24/12	FIREFIGHTERS AID ASSOCIATION	112.50
		SHEA, CARVER & BLANTON	2/24/12	SHEA, CARVER & BLANTON	640.98
		CONTINENTAL AMERICAN INSURANCE COMPANY	2/10/12	CAIC	105.22
			2/24/12	CAIC	105.22
		CITY OF JUNCTION CITY	2/10/12	CITY OF JUNCTION CITY (G-F	48.20
			2/24/12	CITY OF JUNCTION CITY (G-F	48.20
			2/10/12	TELEPHONE REIMBURSEMENT	25.50
			2/24/12	TELEPHONE REIMBURSEMENT	25.50
			2/10/12	TELEPHONE REIMBURSEMENT	127.05
			2/24/12	TELEPHONE REIMBURSEMENT	136.03
		KANSAS PAYMENT CENTER	2/24/12	GARNISHMENT	540.10
			2/24/12	KANSAS PAYMENT CENTER	681.31
		JAY W. VANDER VELDE	2/24/12	JAY W VANDER VELDE	1.80
		COLONIAL SUPPLEMENTAL INSURANCE	2/10/12	COLONIAL INSURANCE	13.00
			2/24/12	COLONIAL INSURANCE	13.00
			2/10/12	COLONIAL INSURANCE	16.90
			2/24/12	COLONIAL INSURANCE	16.90
		BERMAN & RABIN, P. A	2/24/12	09LM125	300.13
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	656.55
			2/24/12	DELTA DENTAL OF KANSAS	656.55
		FIREMEN'S RELIEF ASSOCIATION	2/24/12	FIREMANS RELIEF	199.80
		JUNCTION CITY FIRE FIGHTERS ASSOCIATION	2/24/12	I.A.F.F. LOCAL 3309	945.00
		JUNCTION CITY POLICE	2/24/12	JCPOA	650.00
		KANSAS DEPT OF REVENUE	2/24/12	STATE WITHHOLDING	10,169.71
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	1,787.90
			2/24/12	KP&F	11,904.20
			2/24/12	KPERS #2	1,166.37
		POLICE & FIREMEN'S	2/10/12	POLICE & FIRE INSURANCE	1,079.24
			2/24/12	POLICE & FIRE INSURANCE	1,079.24
		FLEXIBLE SPENDING ACCOUNT 41807030	2/24/12	FIRST STATE BANK	1,799.55
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	2/10/12	AFLAC	830.65
			2/24/12	AFLAC	830.65
		CARD CENTER	2/06/12	USPOSTAL-REG MAIL TIF DIS	17.17

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/06/12	ArcGIS Spatial Analyst	500.00
			2/06/12	ArcGIS 3D Analyst Concurr	500.00
			2/06/12	ArcGIS Publisher Concurr	500.00
			2/06/12	ArcView Single Use Primary	400.00
			2/06/12	ArcView Single Use Seconda	300.00
			2/06/12	ArcGIS Server	1,250.00
		NEX-TECH	2/16/12	Analog Phone Card	533.00
		INCODE	2/15/12	Web Publishing Fees	200.00
		CARD CENTER	12/31/11	Monitor - 19 Wide	117.75
			12/31/11	Monitor - 19 Wide	117.75
			12/31/11	Monitor - 19 Wide	117.75
			12/31/11	Monitor - 19 Wide	117.75
			12/31/11	Monitor - 19 Wide	117.75
			12/31/11	Monitor - 19 Wide	117.74
			12/31/11	Monitor - 19 Wide	117.74
			12/31/11	Monitor - 19 Wide	117.74
			12/31/11	Monitor - 19 Wide	117.74
			12/31/11	Monitor - 19 Wide	117.74
			12/31/11	Network Cable 1000 ft	164.06
			12/31/11	GESO - Monitor (Investigat	128.35
			12/31/11	GESO - Monitor (Investigat	128.35
			12/31/11	GESO - Computer (Invest)	899.99
			12/31/11	GESO - Computer (Invest)	899.99
			12/31/11	Laptop - Golf Manager	710.02
			12/31/11	GESO - Domain Name Registr	179.90
			12/31/11	JCKS.com Domain Reg. 5 yr	164.95
			12/31/11	IPhone Cover	32.67
			12/31/11	UPS System - IS Server Roo	1,088.27
			12/31/11	UPS System - JCPD Server R	1,088.27
			12/31/11	UPS System - JCPD Server R	1,088.27
			12/31/11	Iphone Cover - IS Director	22.49
			12/31/11	IS Dept Server Room Rack S	99.18
			12/31/11	IS Dept Server Room Rack S	99.17
				TOTAL:	15,178.95
ADMINISTRATION	GENERAL FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	588.45
			2/24/12	MEDICARE WITHHOLDING	137.63
		ING LIFE INSURANCE & ANNUITY COMPANY	2/24/12	ING	334.62
		GEARY COUNTY HEALTH DEPT.	2/27/12	1ST QTR 2012 BUDGET DISTN	40,902.25
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	393.95
		TELEPLUS SOLUTIONS	2/15/12	Eliminate Taxes - NexTech	11.49
			2/15/12	Cell Phone Zero Usage	25.10
			2/15/12	CX1 Txt MSG 223-7396	2.48
			2/15/12	Cancel Line RNA - 238-1092	20.78
		STAPLES ADVANTAGE	2/22/12	LABELING TAPE	92.06
		SEMINOLE ENERGY SERVICES, LLC	2/22/12	700 N JEFF-GAS-JAN 2012	2,713.28

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/22/12	2515 WILMA-OLIVIA FARMS-LI	164.14
			2/22/12	QUINTON POINT SIREN	34.40
			2/22/12	LIGHTS AT HUNTERS RIDGE	554.66
			2/22/12	LIGHTS AT HARGRAVES #2	61.69
			2/22/12	LIGHTS AT INDIAN RIDGE/J.C	39.90
			2/22/12	LIGHTS AT HARGRAVES#5	123.38
			2/22/12	LIGHTS AT OLIVIA FARMS	45.94
			2/22/12	LIGHTS AT SUTTERWOODS	296.10
			2/22/12	LIGHTS AT SUTTER HIGHLANDS	246.75
			2/22/12	LIGHTS AT MANN'S RANCH	70.50
			2/22/12	LIGHTS AT HARGRAVES #4	11.75
			2/22/12	LIGHTS AT HARGRAVES #1	23.50
			2/22/12	LIGHTS AT HILLTOP #5	7.91
			2/22/12	LIGHTS AT HARGRAVES #3	35.25
			2/22/12	LIGHTS ALONG SVR	188.00
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	29.00
			2/24/12	DELTA DENTAL OF KANSAS	29.00
		GEARY COUNTY TREASURER	2/27/12	DEL TAX ON 339 W 18TH	303.20
			2/13/12	1-05845-MAY 12-2618 MID AM	10,348.67
		KEY OFFICE EQUIPMENT	2/21/12	WRIST COIL KEY RINGS 2	5.74
		WESTAR ENERGY	2/22/12	601 E CHESTNUT-JAN 2012	341.50
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	416.90
			2/24/12	KPERS #2	293.19
		NEX-TECH	2/16/12	PHASE I PHONE CHANGE TO CO	2,610.00
		SCREEN MACHINE SPORTS	2/14/12	SCREEN MACHINE-TIME	636.10
		CARD CENTER	2/13/12	GFOA-INTERNET TRAINING	85.00
			2/13/12	J GILBERTS-MEETING-MEAL	29.99
			2/13/12	HERE FORD HOUSE-MEETING-ME	33.27
			2/13/12	SHERATON-BEATTY-MEETING HO	200.56
			2/13/12	SHERATON,SANDS-MEETING-HOT	200.56
			2/13/12	SHERATON,LANDES-MEETING-HO	100.28
			2/13/12	SHERATON,ASKA-MEETING,HOTE	108.24
			2/13/12	ICMA-PERFORMANCE ASSESS TO	995.00
			2/06/12	WALMART-BEVERAGES	24.08
			2/06/12	PIZZA HUT-MEAL	95.45
			2/06/12	COURTYARD-ROTARY	22.00
			2/06/12	COURTYARD-ROTARY	11.00
			2/06/12	RED ROBIN-KACM	15.33
			2/06/12	COURTYARD-ROTARY	11.00
			2/06/12	RADIO SHACK-OFFICE SUPPLIE	69.99
			2/06/12	WSU-KACM	100.00
			2/06/12	TOPEKA PARKING-CAP HILL MT	2.50
				TOTAL:	67,758.84
ADMINISTRATIVE SERVICE GENERAL FUND		CARD CENTER	2/13/12	WALMART-CARPET SHAMPOO	44.69
			2/13/12	WATERS-SHELVING	111.89

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
		DAVE'S ELECTRIC, INC.	2/10/12	BACKSTOP GFCI NORTH PARK.	52.00
			2/10/12	BACKSTOP GFCI NORTH PARK.	14.09
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	47.52
			2/24/12	DELTA DENTAL OF KANSAS	47.52
			2/10/12	DELTA DENTAL OF KANSAS	43.76
			2/24/12	DELTA DENTAL OF KANSAS	43.76
		GEARY COUNTY PUBLIC WORKS	2/13/12	PARKS-UNLEADED	564.77
			2/13/12	PARKS-DIESEL	252.45
			2/13/12	PARKS-FUEL CHARGE-269. GAL	13.47
		SECURITY SOLUTIONS INC	2/15/12	SECURITY SOLUTIONS INC	18.00
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	493.02
			2/24/12	KPERS #2	165.76
		RC SYSTEMS INC	1/02/12	ReCpro - Base Package -12.	250.00
			1/02/12	ReCpro - Facility Res - 12	21.88
			1/02/12	ReCpro - POS / Inv 12.5%	21.88
			1/02/12	RecPro - Memberships - 12.	21.88
			1/02/12	RecPro - Web Module - 12.5	168.75
		CARD CENTER	2/13/12	HOBBY LOBBY-XMAS WREATH	73.81
			2/13/12	HOBBY LOBBY-XMAS WREATH	12.14
			2/09/12	CHAIN SHARPENED	48.00
			2/09/12	TORDON	27.98
			2/09/12	OIL	33.93
			2/09/12	SPRAYER, NURTA SOL	346.98
			2/09/12	LIFT BUCKET RENTAL	286.57
			2/09/12	GUTTER SEALANT	4.79
			2/09/12	LIFT BUCKET DEP REFUND	100.00-
			2/09/12	CHISLE, SCREW BIT SET	31.98
			2/09/12	EXHAUST CLAMPS	9.87
			2/09/12	METAL STRAPPING KIT	6.58
			2/09/12	REFUND FOR CLAMPS	9.87-
			2/09/12	STUMP GRINDER BATTERY	7.00
			2/09/12	STUMP GRINDER LABOR	66.00
			2/09/12	IPHONE CASE	37.49
			2/09/12	HOSE COUPLES PVC SUCTION	46.99
			2/09/12	DRILL BITS	12.78
				TOTAL:	5,458.43
SWIMMING POOL	GENERAL FUND	SECURITY SOLUTIONS INC	2/22/12	ALARM CITY POOL-1017 W 5TH	15.00
		RC SYSTEMS INC	1/02/12	ReCpro - Base Package -25%	500.00
			1/02/12	ReCpro - Facility Res - 25	43.75
			1/02/12	ReCpro - POS / Inv - 25%	43.75
			1/02/12	RecPro - Memberships - 25%	43.75
			1/02/12	RecPro - Web Module - 25%	337.50
				TOTAL:	983.75
GOLF COURSE	GENERAL FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	358.63

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/23/12	BEER SUPPLY	113.35
		FOOTJOY	2/27/12	SHOES/GLOVES	2,768.18
		SECURITY SOLUTIONS INC	2/27/12	MAINT/MONIT. ALARMS	79.00
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	263.04
			2/24/12	KPERS #2	206.87
		NCKCN.COM	2/27/12	VIRTUAL DOMAIN REGIST. FEE	37.99
		SNACK EXPRESS	2/27/12	FOOD SUPPLY	69.55
			2/27/12	SOFTDRINK SUPPLY	26.00
		PRESTIGE FLAG	2/27/12	TOURNAMENT FLAGS	277.88
		CARD CENTER	2/14/12	WATERS TRUE VALUE- RAT BAI	13.97
			2/14/12	HOME DEPOT-FOOD SHELVING	16.24
			2/14/12	WATERS TRUE VALUE-HAND TOO	90.86
			2/14/12	YOUR AUTO SERV CTR-PICKUP	274.80
			2/14/12	DILLONS - FOOD ITEMS	5.58
			2/14/12	DILLONS - FOOD ITEMS	7.92
			2/14/12	DILLONS - FOOD ITEMS	9.73
			2/14/12	DILLONS - FOOD ITEMS	6.10
			2/14/12	DILLONS - FOOD ITEMS	16.62
		SALINA WHOLESALE SUPPLY	2/27/12	6" PUMP FLANGE	28.60
			2/27/12	6" FLANGE VALVE	409.62
		VAN WALL EQUIPMENT	2/27/12	EQUIPMENT PARTS	627.15
			2/27/12	EQUIPMENT PARTS	147.64
				TOTAL:	14,063.26
AMBULANCE	GENERAL FUND	MILITARY OUTLET, L.C.	2/17/12	UNIFORMS	2,139.50
		INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	47.27
			2/24/12	MEDICARE WITHHOLDING	234.63
		GEARY COUNTY HEALTH DEPT.	2/24/12	BIO HAZARD DISPOSAL	80.00
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	148.66
			2/24/12	BLUE CROSS BLUE SHIELD	1,068.16
		AIRGAS	1/01/12	AIRGAS	168.25-
			1/01/12	MEDICAL OXYGEN	210.32-
			1/01/12	MEDICAL OXYGEN	268.20
			1/01/12	MEDICAL OXYGEN	299.90
			1/29/12	MEDICAL OXYGEN	105.38
			2/13/12	MEDICAL OXYGEN	49.54
			2/20/12	MEDICAL OXYGEN	43.14
			2/21/12	MEDICAL OXYGEN	70.02
		BERNHARDE BOONE	2/16/12	PROMPT PAY DISCOUNT REFUND	9.00
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	112.00
			2/24/12	DELTA DENTAL OF KANSAS	112.00
			2/10/12	DELTA DENTAL OF KANSAS	43.76
			2/24/12	DELTA DENTAL OF KANSAS	43.76
		GEARY COUNTY PUBLIC WORKS	2/02/12	DIESEL FUEL - AMBULANCE	1,610.41
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	69.54
			2/24/12	KP&F	3,002.67

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/13/12	S&WHEALTHCARE/MEDICAL SUPP	172.50
			2/13/12	BOX&SHIP/SEND BAG FOR REPA	22.28
			2/13/12	WALMART/SHELF LINER	4.74
			2/13/12	AUTOZONE/BUG&TAR REMOVER	4.99
			2/13/12	AUTOZONE/BUG&TAR REMOVER	5.47
			2/13/12	DICKEDWARDS/OIL FOR MED4	88.00
			2/13/12	AUTOZONE/CREDIT BUG & TAR	5.47-
				TOTAL:	10,698.90
ANIMAL SHELTER	GENERAL FUND	GEARY COUNTY CLERK	2/22/12	JAN 2012-ANIMAL SHELTER FE	6,223.04
				TOTAL:	6,223.04
COUNTY/INS ZONING SVCS	GENERAL FUND	KEY OFFICE EQUIPMENT	2/21/12	INDEX INSERT 8TAB CL	54.00
				TOTAL:	54.00
ENGINEERING	GENERAL FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	127.77
			2/24/12	MEDICARE WITHHOLDING	29.89
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	148.66
		CARTEGRAPH SYSTEMS, INC.	2/17/12	Install Service Hour	675.00
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	21.60
			2/24/12	DELTA DENTAL OF KANSAS	21.60
		GEARY COUNTY PUBLIC WORKS	2/02/12	747 SORT 1	49.17
			2/02/12	FUEL SURCHARGE	0.83
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	109.57
			2/24/12	KPERS #2	20.72
		CARD CENTER	1/31/12	QUIZNOS-ENGINEER PANEL	38.94
				TOTAL:	1,243.75
CODES ENFORCEMENT	GENERAL FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	207.68
			2/24/12	MEDICARE WITHHOLDING	48.58
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	148.66
			2/24/12	BLUE CROSS BLUE SHIELD	222.99
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	54.00
			2/24/12	DELTA DENTAL OF KANSAS	54.00
		GEARY COUNTY PUBLIC WORKS	2/02/12	726- Sort 1	124.85
			2/02/12	726- Sort 2	107.59
			2/02/12	722- Sort 1	157.94
			2/02/12	722- Sort 2	72.50
			2/02/12	FUEL SURCHARGE	7.88
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	325.64
		CARD CENTER	1/31/12	IAEI-RESIDENTIAL INSP CERT	15.00
		VEOLIA WATER NORTH AM	2/22/12	509 W 7TH	60.00
			2/22/12	511 W 9TH	60.00
			2/22/12	523 W 9TH	60.00
			2/22/12	624 W 10TH	110.00
			2/22/12	617 W 11TH	60.00

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/08/12	FRIEGHT- GLENN'S PL	16.00
			2/08/12	09 COMM KITCHEN HOOD APL	29.95
			2/08/12	09 IFC INSPECTORS GUIDE	17.25
				TOTAL:	2,666.51
POLICE	GENERAL FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	489.18
			2/24/12	SOCIAL SECURITY WITHHOLDIN	1,152.27
			2/24/12	MEDICARE WITHHOLDING	1,189.91
			2/24/12	MEDICARE WITHHOLDING	293.01
		ADI SYSTEMS INC	2/27/12	S16705 TONER CARTRIDGE REF	81.00
		SPRINT	2/27/12	11-08413 SUBPOENA COMPLIAN	30.00
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CRDOSS BLUE SHIELD	148.66
			2/24/12	BLUE CRDOSS BLUE SHIELD	148.66
			2/24/12	BLUE CROSS BLUE SHIELD	408.81
			2/24/12	BLUE CROSS BLUE SHIELD	37.17
			2/24/12	BLUE CROSS BLUE SHIELD	4,092.13
			2/24/12	BLUE CROSS BLUE SHIELD	887.98
		TELEPLUS SOLUTIONS	2/15/12	Cancel Line RNA 762-2987	10.72
			2/15/12	Cancel Line RNA 762-2987	10.72
			2/15/12	Cancel Line RNA 762-4111	24.25
			2/15/12	Cancel Line RNA 762-4111	24.25
			2/15/12	Cancel Line RNA 238-4272	10.97
			2/15/12	Cancel Line RNA 238-4272	10.97
			2/15/12	Cancel Line RNA 238-4288	10.97
			2/15/12	Cancel Line RNA - 238-4288	10.97
			2/15/12	Cancel Line RNA - 762-8664	11.03
			2/15/12	Cancel Line RNA - 762-8664	11.02
			2/15/12	Cancel - ISDN line 238-169	19.63
			2/15/12	Cancel ISDN Line 238-1697	19.64
		STAPLES ADVANTAGE	2/27/12	3169357445 TONER,TOWELS,BU	612.52
			2/27/12	3169357445 PAPER TOWELS	69.47
		CORYELL INSURORS, INC.	2/21/12	15988 NOTARY BOND CHILDS	50.00
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	507.60
			2/10/12	DELTA DENTAL OF KANSAS	158.54
			2/24/12	DELTA DENTAL OF KANSAS	508.18
			2/24/12	DELTA DENTAL OF KANSAS	157.96
			2/10/12	DELTA DENTAL OF KANSAS	254.35
			2/10/12	DELTA DENTAL OF KANSAS	84.79
			2/24/12	DELTA DENTAL OF KANSAS	254.35
			2/24/12	DELTA DENTAL OF KANSAS	84.79
		DICK EDWARDS FORD	2/27/12	5011631 DOOR HANDLE #219	49.88
		GEARY COUNTY PUBLIC W	2/14/12	PD FUEL JANUARY 2012	8,535.66
		KANSAS PUBLIC EMPLOYE	2/24/12	KPERS #1	593.49
			2/24/12	KPERS #1	929.30
			2/24/12	KP&F	13,950.59
			2/24/12	KP&F	527.26

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/15/12	AREMAC-LAB SUPPLIES	121.43
			2/15/12	AREMAC-LAB SUPPLIES	180.95
			2/15/12	AREMAC-LAB SUPPLIES	209.44
			2/15/12	AREMAC-LAB SUPPLIES	111.19
			2/15/12	FED EX-EVIDENCE SHIPPING	53.43
			2/15/12	WMART-TOASTER OVEN	79.00
			2/15/12	IACP MEMBERSHIP #204	120.00
			2/15/12	IACP MEMBERSHIP #201	120.00
			2/15/12	17065 B&K-COFFEE	33.20
			2/15/12	17070 B&K-COFFEE	66.40
			2/15/12	KTA-TOLLS LAB KC TRIP	2.50
			2/15/12	KTA-TOLLS LAB KC TRIP	2.50
			2/15/12	WOLFE'S-CAMERA SUPPLIES LA	387.96
			2/15/12	KTA-LAB KC-COMPUTERS	2.50
			2/15/12	KTA-LAB KC-COMPUTERS	2.50
			2/15/12	BOX&SHIP-EVIDENCE SHIPPING	15.13
			2/15/12	266405 ORAP-WIPER BLADES	246.54
			2/15/12	266799ORAP-ATTACH TAPE	4.45
			2/15/12	266807ORAP-SPARK PLUG #216	20.97
			2/15/12	266838ORAP-IGN COIL #216	50.36
			2/15/12	268387ORAP-FUEL FILTER #22	11.86
			2/15/12	269631ORAP-FUEL PUMP #223	288.40
			2/15/12	270131ORAP-ELECT F/PUMP #2	259.75
			2/15/12	270131ORAP-ELECT F/PUMP #2	259.75-
			2/15/12	270615ORAP-FUEL PUMP #223	288.40-
			2/15/12	270685ORAP-INT MANIFOLD 21	214.97
			2/15/12	270694ORAP-OIL FILTER #216	7.98-
			2/15/12	271269ORAP-MAF SENSOR #223	133.39
			2/15/12	271338ORAP-IGN COIL/SPK PL	55.35
			2/15/12	271508ORAP-IGN COIL,SPK PL	44.73
			2/15/12	501J&R-THROTTLE BODY ASSEM	298.85
			2/15/12	497J&R-BLOWER MOTOR #216	36.30
			2/15/12	488J&R-CRANKSHAFT SENSOR#2	72.60
			2/15/12	271408ORAP-IGN COIL,SPK PL	55.35
			2/15/12	100836 FIRESTONE-TIRES #20	92.20
			2/15/12	WTV-PAINT - WEIGHT ROOM	26.54
			2/15/12	101034 FIRESTONE - TIRES #	374.04
			2/15/12	TMART-CAMERA BATTERIES	59.20
			2/15/12	473J&R-LOF,TIRE ROTATE #22	61.16
			2/15/12	480J&R-LOF,TIRE ROTATE #20	65.30
			2/15/12	472J&R-LOF,TIRE ROTATE #20	64.65
			2/15/12	479J&R-DISC ROTOR,LOF,ROTA	121.66
			2/15/12	482J&R-LOF,TIRE ROTATE #20	65.30
			2/15/12	483J&R-LOF,TIRE ROTATE #21	65.30
			2/15/12	486J&R-LOF,TIRE ROTATE #21	61.16
			2/15/12	492J&R-LOF,TIRE ROTATE #23	65.30

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/15/12	BUDGET BATTERY-STREAMLITE B	89.95
			2/15/12	WTV-INVST COMPUTERS INSTAL	18.87
			2/15/12	MENARDS-AIR HOSE/TIRE INFL	34.40
			2/15/12	96821JIM CLARK-SWITCH #208	44.39
			2/15/12	TIGER DIRECT-FLASH DRIVES	76.88
			2/15/12	PUBLIC SAFETY-UNIFORM COAT	670.94
			2/15/12	101532 FIRESTONE-TIRE #206	122.66
			2/15/12	101561 FIRESTONE-TIRES #20	465.51
			2/15/12	TIGER DIRECT-USB FLASH DRI	568.43
				TOTAL:	44,732.92
FIRE	GENERAL FUND	MILITARY OUTLET, L.C.	2/17/12	UNIFORMS	2,139.50
		INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	217.79
			2/24/12	MEDICARE WITHHOLDING	907.86
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CRDOSS BLUE SHIELD	148.66
			2/24/12	BLUE CROSS BLUE SHIELD	3,688.96
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	320.00
			2/24/12	DELTA DENTAL OF KANSAS	320.00
			2/10/12	DELTA DENTAL OF KANSAS	207.86
			2/24/12	DELTA DENTAL OF KANSAS	207.86
		GEARY COUNTY PUBLIC WORKS	2/02/12	DIESEL FUEL - FIRE	1,135.71
			2/02/12	MOTOR FUEL - FIRE	125.01
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	69.54
			2/24/12	KP&F	10,996.33
		CARD CENTER	2/13/12	WATERS/BROOM, RAGS, POLISH	25.47
			2/13/12	ACSGOV'T/SOFTWARE SUPPORT	845.00
			2/13/12	DILLONS/WILSON RETIREMENT	215.69
			2/13/12	UNIVERSAL/DRUM OF OIL	360.53
			2/13/12	MILLESONS/BATTERIES STN 2	305.26
			2/13/12	WATERS/GAS CAN	15.99
			2/13/12	HOBBYLOBBY/STENCILING SET	29.28
			2/13/12	HOBBYLOBBY/CREDIT TAX	2.31
			2/13/12	NFPA/SUBSCRIPTION FOR 2012	855.00
			2/13/12	PFEIFLEY/RETIREMENT PLAQUE	32.00
			2/13/12	PAYPAL-KSTATE/MEMBERSHIP D	40.00
				TOTAL:	23,206.99
STREET	GENERAL FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	48.89
			2/24/12	MEDICARE WITHHOLDING	11.43
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	37.17
		CARTEGRAPH SYSTEMS, INC.	2/17/12	Install Service Hour	675.00
		SLOAN LAW FIRM AND CS DEVELOPMENT, IN	2/23/12	BROOKE INVESTMNT, V. CITY	10,000.00
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	5.40
			2/24/12	DELTA DENTAL OF KANSAS	5.40
		WESTAR ENERGY	2/22/12	15TH & WASHINGTON-SL-FEB 2	17.34
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #2	66.76

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/24/12	KPERS #2	270.73
		INCODE	2/15/12	Web - Court Inquiry	100.00
		CINTAS #451	2/24/12	3 GRAY MATS	15.35
			2/24/12	3 GRAY MATS	15.35
				TOTAL:	1,833.14
JC OPERA HOUSE	GENERAL FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	136.60
			2/24/12	MEDICARE WITHHOLDING	31.95
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS RETIRED	296.11
				TOTAL:	464.66
JUNCTION CITY ARTS	GENERAL FUND	SECURITY SOLUTIONS INC	2/22/12	ALARM ARTS COUNCIL-109 W7	22.00
				TOTAL:	22.00
RECREATION	GENERAL FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	178.12
			2/24/12	MEDICARE WITHHOLDING	41.65
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	118.93
		RICK DONNELSON	2/22/12	REFUND OF GYM @ 12TH ST-DE	25.00
		JEAN BALL	2/22/12	KEYBOARDING CLASS-REFUND 2	20.00
		SHERRY FREWERD	2/22/12	DEP REFUND. KITCHEN RNTL-0	25.00
		CHRISTINA HESSLER	2/22/12	REFND-MULTI RM-DEP-02/2012	25.00
		JAMAICA CHISM	2/22/12	REFUND-MULTI ROOM-DEP-02/2	25.00
		TRACEY WHITE	2/27/12	DEPOSIT REFUND FOR ROOM RN	25.00
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	38.88
			2/24/12	DELTA DENTAL OF KANSAS	38.88
			2/24/12	DELTA DENTAL OF KANSAS	3.68
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	55.63
			2/24/12	KPERS #2	64.05
		RC SYSTEMS INC	1/02/12	ReCpro - Base Package -25%	500.00
			1/02/12	ReCpro - Facility Res - 25	43.75
			1/02/12	ReCpro - League Scheduling	175.00
			1/02/12	ReCpro - POS / Inv 25%	43.75
			1/02/12	RecPro - Memberships - 25%	43.75
			1/02/12	RecPro - Web Module - 25%	337.47
		CARD CENTER	2/09/12	CLEANING SUPPLIES	32.33
			2/09/12	FOOD FOR SENIORS	20.50
			2/09/12	DRILL BITS	48.00
		CINTAS #451	1/01/12	GRAY MAT AT 12TH ST COMMUN	35.15
			2/24/12	GRAY MAT AT 12TH ST COMMUN	30.45
				TOTAL:	1,994.97
NON-DEPARTMENTAL	GRANTS	INTERNAL REVENUE SERV	2/24/12	FEDERAL WITHHOLDING	1,341.97
			2/24/12	SOCIAL SECURITY WITHHOLDIN	188.88
			2/24/12	MEDICARE WITHHOLDING	195.27
		ING LIFE INSURANCE & ANNUITY COMPANY	2/24/12	ING	125.00
		AMERICAN UNITED LIFE INSURANCE COMPANY	2/10/12	AMERICAN UNITED LIFE	19.02

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
		FIREMEN'S RELIEF ASSOCIATION	2/24/12	FIREMANS RELIEF	26.64
		JUNCTION CITY FIRE FIGHTERS ASSOCIATIO	2/24/12	I.A.F.F. LOCAL 3309	126.00
		KANSAS DEPT OF REVENUE	2/24/12	STATE WITHHOLDING	524.24
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	199.86
			2/24/12	KP&F	647.78
		POLICE & FIREMEN'S	2/10/12	POLICE & FIRE INSURANCE	128.38
			2/24/12	POLICE & FIRE INSURANCE	128.38
		FLEXIBLE SPENDING ACCOUNT #41807030	2/24/12	FIRST STATE BANK	240.83
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	2/10/12	AFLAC	48.06
			2/24/12	AFLAC	48.06
		UNITED WAY OF JUNCTION CITY-GEARY COUN	2/24/12	UNITED WAY	18.00
				TOTAL:	4,658.29
SELF HELP HOUSING	GRANTS	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	278.81
			2/24/12	MEDICARE WITHHOLDING	65.20
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	148.66
			2/24/12	BLUE CROSS BLUE SHIELD	148.66
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	43.20
			2/24/12	DELTA DENTAL OF KANSAS	43.20
		HOME LUMBER CO.	2/27/12	WINTER WORKRIGHT GLOVE	17.79
			2/23/12	GLOVE LG WINTER WORKRIGHT	17.79
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	416.71
		THE PRINTERY	2/22/12	SELF HELP HOUSING	112.00
		CARD CENTER	1/31/12	OFFICE MAX-PENCILS,BCARDS,	38.76
			1/31/12	AUTOZONE-CITY TRUCK PARTS	47.96
			1/31/12	JIM CLARK-CITY TRUCK BATTE	124.30
			1/31/12	AUTOZONE-CITY TRUCK REPAIR	3.49
			1/31/12	ORSCHELN-STRAW	30.00
			1/31/12	YOUR AUTO-CITY TRUCK THERM	100.50
			1/31/12	CASEY'S-CITY TRUCK GAS	95.56
			1/31/12	YOUR AUTO-CITY TRUCK FLUSH	76.50
				TOTAL:	1,809.09
SAFER GRANT-FIRE DEPT	GRANTS	INTERNAL REVENUE SERVICE	2/24/12	MEDICARE WITHHOLDING	130.07
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	891.96
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	21.60
			2/24/12	DELTA DENTAL OF KANSAS	21.60
			2/10/12	DELTA DENTAL OF KANSAS	54.70
			2/24/12	DELTA DENTAL OF KANSAS	54.70
		KANSAS PUBLIC EMPLOYEES	2/24/12	KP&F	1,530.62
				TOTAL:	2,705.25
NON-DEPARTMENTAL	SPIN CITY	INTERNAL REVENUE SERV	2/24/12	FEDERAL WITHHOLDING	264.96
			2/24/12	SOCIAL SECURITY WITHHOLDIN	167.54
			2/24/12	MEDICARE WITHHOLDING	57.83
		CITY OF JUNCTION CITY	2/10/12	TELEPHONE REIMBURSEMENT	13.25

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/23/12	FOAM CUPS & LIDS	93.48
			2/23/12	DELIVERY CHARGE	7.00
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	10.94
			2/24/12	DELTA DENTAL OF KANSAS	7.26
		SECURITY SOLUTIONS INC	2/22/12	ALARM-915 S WASHINGTON	22.00
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	109.60
		RC SYSTEMS INC	1/02/12	ReCpro - Base Package -37.	750.00
			1/02/12	ReCpro - Facility Res - 37	65.63
			1/02/12	ReCpro - POS / Inv 37.5%	65.63
			1/02/12	RecPro - Memberships - 37.	65.63
			1/02/12	RecPro - Web Module - 37.5	506.25
		CARD CENTER	2/14/12	DONUTS	39.42
			2/14/12	FOOD	56.83
			2/14/12	CLEANING SUPPLIES	46.87
			2/14/12	CAKE	29.96
			2/14/12	CHIPS, BUNS MILK TOPPING	38.00
			2/14/12	CAKE	15.99
			2/14/12	CHIPS, BUNS, ICE CREAM, CA	43.64
				TOTAL:	11,243.38
INDUSTRIAL REVENUE BON BOND & INTEREST		EMPRISE BANK	2/27/12	CAPGEMINI IRB PAYMENT	15,435.83
			2/27/12	CAPGEMINI IRB PAYMENT	14,710.24
				TOTAL:	30,146.07
NON-DEPARTMENTAL	WATER & SEWER FUND	FAMILY SUPPORT PAYMENT CENTER (MISSOURI	2/24/12	MACSS #41061331/ CV103-753	154.85
		INTERNAL REVENUE SERVICE	2/24/12	FEDERAL WITHHOLDING	1,780.79
			2/24/12	SOCIAL SECURITY WITHHOLDING	767.68
			2/24/12	MEDICARE WITHHOLDING	265.05
		ING LIFE INSURANCE & ANNUITY COMPANY	2/24/12	ING	216.87
		AMERICAN UNITED LIFE INSURANCE COMPANY	2/10/12	AMERICAN UNITED LIFE	38.97
			2/24/12	AMERICAN UNITED LIFE	38.97
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	212.77
			2/24/12	BLUE CROSS BLUE SHIELD	359.06
			2/24/12	BLUE CROSS BLUE SHIELD	195.11
		CONTINENTAL AMERICAN INSURANCE COMPANY	2/10/12	CAIC	6.68
			2/24/12	CAIC	6.68
		CITY OF JUNCTION CITY	2/10/12	CITY OF JUNCTION CITY (G-F	9.05
			2/24/12	CITY OF JUNCTION CITY (G-F	4.80
			2/10/12	TELEPHONE REIMBURSEMENT	36.58
			2/24/12	TELEPHONE REIMBURSEMENT	45.31
		JAY W. VANDER VELDE	2/24/12	JAY W VANDER VELDE	3.48
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	66.72
			2/24/12	DELTA DENTAL OF KANSAS	66.72
		KANSAS DEPT OF REVENUE	2/24/12	STATE WITHHOLDING	770.60
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	399.39
			2/24/12	KPERS #2	521.29

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/24/12	MEDICARE WITHHOLDING	138.17
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	52.03
			2/24/12	BLUE CROSS BLUE SHIELD	52.03
			2/24/12	BLUE CROSS BLUE SHIELD	408.82
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	57.89
			2/24/12	DELTA DENTAL OF KANSAS	57.89
			2/10/12	DELTA DENTAL OF KANSAS	23.52
			2/24/12	DELTA DENTAL OF KANSAS	23.52
		GEARY COUNTY PUBLIC WORKS	2/13/12	WATER-UNLEADED	391.17
			2/13/12	WATER-SURCHARGE 133.5GAL@.	6.66
		HEARTLAND ALARMS, INC	2/22/12	FIRE ALARM-TEST-02/14/12	240.00
		SECURITY SOLUTIONS INC	2/22/12	ALARM WUPD 2307 N JACKSON	35.00
			2/22/12	ALARM CITY CLERK OFC. (CS d	18.00
		BRINKS INCORPORATED	2/22/12	WATER-JANUARY 2012	384.23
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	393.94
			2/24/12	KPERS #2	437.13
		INCODE	2/15/12	Web - Utilities Inquiry -	106.68
		JOLEEN SCHNURR	2/27/12	CCMFOA SPRING CONF MILEAGE	125.43
			2/27/12	MILEAGE TO KMIT WORK COMP	27.86
		POSTMASTER	2/16/12	FEB 2012-POSTAGE MACHINE	2,500.00
		CARD CENTER	2/06/12	KEY OFFICE-FAX FILM	32.63
			2/07/12	WATERS-LOCKS FOR METERS	167.88
			2/07/12	WATERS-LOCKS FOR METERS	167.88
			2/07/12	AUTOZONE-WINDSHIELD WIPERS	29.96
		CINTAS #451	2/22/12	SCRAPER/BROWN MAT	28.28
			2/22/12	UNIFORMS-LANGDON, KENNY	10.23
			2/24/12	SCRAPER/BROWN MAT	45.26
			2/24/12	UNIFORMS-LANGDON, KENNY	10.23
				TOTAL:	6,563.08
SEWER ADMINISTRATION	WATER & SEWER FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	542.51
			2/24/12	MEDICARE WITHHOLDING	126.88
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	74.33
			2/24/12	BLUE CROSS BLUE SHIELD	74.33
			2/24/12	BLUE CROSS BLUE SHIELD	371.65
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	77.33
			2/24/12	DELTA DENTAL OF KANSAS	77.33
			2/10/12	DELTA DENTAL OF KANSAS	19.14
			2/24/12	DELTA DENTAL OF KANSAS	19.14
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	438.77
			2/24/12	KPERS #2	337.85
		INCODE	2/15/12	Web - Utilities Inquiry -	106.66
		POSTMASTER	2/16/12	FEB 2012-POSTAGE MACHINE	2,500.00
				TOTAL:	4,765.92
NON-DEPARTMENTAL	ROLLING MEADOWS GO	INTERNAL REVENUE SERVICE	2/24/12	FEDERAL WITHHOLDING	12,481.05-

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
			2/24/12	MEDICARE WITHHOLDING	564.66-
			2/24/12	MEDICARE WITHHOLDING	0.94
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	10.94
		FOOTJOY	11/17/11	RETURNED MERCHANDISE	440.00-
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	3,247.79-
				TOTAL:	6,650.97-
NON-DEPARTMENTAL	STORM WATER	LOYAL AMERICAN LIFE INSURANCE COMPANY	2/10/12	CANCER PLAN	8.53
			2/24/12	CANCER PLAN	8.53
		INTERNAL REVENUE SERVICE	2/24/12	FEDERAL WITHHOLDING	177.48
			2/24/12	SOCIAL SECURITY WITHHOLDIN	62.16
			2/24/12	MEDICARE WITHHOLDING	21.46
		AMERICAN UNITED LIFE INSURANCE COMPANY	2/10/12	AMERICAN UNITED LIFE	8.33
			2/24/12	AMERICAN UNITED LIFE	8.33
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	27.87
		CITY OF JUNCTION CITY	2/10/12	TELEPHONE REIMBURSEMENT	6.63
			2/24/12	TELEPHONE REIMBURSEMENT	6.63
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	8.00
			2/24/12	DELTA DENTAL OF KANSAS	8.00
		KANSAS DEPT OF REVENUE	2/24/12	STATE WITHHOLDING	66.47
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	28.61
			2/24/12	KPERS #2	48.03
		UNITED WAY OF JUNCTION CITY-GEARY COUN	2/24/12	UNITED WAY	1.25
				TOTAL:	496.31
STORM WATER MANAGEMENT	STORM WATER	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	91.73
			2/24/12	MEDICARE WITHHOLDING	21.46
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	111.48
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	16.20
			2/24/12	DELTA DENTAL OF KANSAS	16.20
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	59.65
			2/24/12	KPERS #2	66.75
				TOTAL:	383.47
ECONOMIC DEVELOPMENT	ECONOMIC DEVELOPME	TELEPLUS SOLUTIONS	2/15/12	Cancel call Forward 762-19	1.04
			2/15/12	Cancel Centrex Trunk -762-	6.72
				TOTAL:	7.76
NON-DEPARTMENTAL	SANITATION FUND	INTERNAL REVENUE SERVICE	2/24/12	FEDERAL WITHHOLDING	145.61
			2/24/12	SOCIAL SECURITY WITHHOLDIN	73.68
			2/24/12	MEDICARE WITHHOLDING	25.44
		ING LIFE INSURANCE & COMPANY	2/24/12	ING	26.63
		AMERICAN UNITED LIFE COMPANY	2/10/12	AMERICAN UNITED LIFE	6.87
			2/24/12	AMERICAN UNITED LIFE	6.87
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	37.55
			2/24/12	BLUE CROSS BLUE SHIELD	63.36

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	2/10/12	AFLAC	1.42
			2/24/12	AFLAC	1.42
		UNITED WAY OF JUNCTION CITY-GEARY COUN	2/24/12	UNITED WAY	1.35
				TOTAL:	619.35
SANITATION ADMINISTRAT	SANITATION FUND	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	108.73
			2/24/12	MEDICARE WITHHOLDING	25.42
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	22.30
			2/24/12	BLUE CROSS BLUE SHIELD	22.30
			2/24/12	BLUE CROSS BLUE SHIELD	89.20
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	19.44
			2/24/12	DELTA DENTAL OF KANSAS	19.44
			2/10/12	DELTA DENTAL OF KANSAS	4.92
			2/24/12	DELTA DENTAL OF KANSAS	4.92
		KANSAS PUBLIC EMPLOYEES	2/24/12	KPERS #1	109.36
			2/24/12	KPERS #2	50.05
		INCODE	2/15/12	Web - Utilities Inquiry -	106.66
				TOTAL:	582.74
NON-DEPARTMENTAL	DRUG & ALCOHOL ABU	INTERNAL REVENUE SERVICE	2/24/12	FEDERAL WITHHOLDING	305.41
			2/24/12	MEDICARE WITHHOLDING	29.90
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	37.16
		JUNCTION CITY POLICE	2/24/12	JCPOA	20.00
		KANSAS DEPT OF REVENUE	2/24/12	STATE WITHHOLDING	112.39
		KANSAS PUBLIC EMPLOYEES	2/24/12	KP&F	146.94
				TOTAL:	651.80
DRUG & ALCOHOL ABUSE	DRUG & ALCOHOL ABU	INTERNAL REVENUE SERVICE	2/24/12	MEDICARE WITHHOLDING	29.90
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	148.66
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	10.94
			2/24/12	DELTA DENTAL OF KANSAS	10.94
		KANSAS PUBLIC EMPLOYEES	2/24/12	KP&F	347.21
				TOTAL:	547.65
NON-DEPARTMENTAL	SPECIAL LE TRUST F	INTERNAL REVENUE SERVICE	2/24/12	FEDERAL WITHHOLDING	37.32
			2/24/12	SOCIAL SECURITY WITHHOLDIN	21.59
			2/24/12	MEDICARE WITHHOLDING	7.45
		BLUE CROSS BLUE SHIELD OF KS	2/24/12	BLUE CROSS BLUE SHIELD	18.58
		DELTA DENTAL (PAYROLL)	2/10/12	DELTA DENTAL OF KANSAS	5.33
			2/24/12	DELTA DENTAL OF KANSAS	5.33
		KANSAS DEPT OF REVENUE	2/24/12	STATE WITHHOLDING	15.18
		KANSAS PUBLIC EMPLOYE	2/24/12	KPERS #1	21.85
		FLEXIBLE SPENDING ACC - 22 - 41807030	2/24/12	FIRST STATE BANK	8.34
				TOTAL:	140.97
SPECIAL LAW ENFORCEMEN	SPECIAL LE TRUST F	INTERNAL REVENUE SERVICE	2/24/12	SOCIAL SECURITY WITHHOLDIN	31.87

DEPARTMENT	FUND	VENDOR NAME	DATE	DESCRIPTION	AMOUNT
		CARD CENTER	2/15/12	SHIELD SPIKE-HAMMERSPIKE T	135.00
			2/15/12	GALLS-BREAK-N-RAKE TOOL	264.99
			2/15/12	GE CO TREAS-TITLE AUCTION	12.30
			2/15/12	BWW-MS INVESTIGATION #45,7	32.19
			2/15/12	KTA-MS INVESTIGATION #45,7	2.50
			2/15/12	FUNKYS-MS INVESTIGATION #4	14.50
			2/15/12	CHILIS-MS INVESTIGATION #4	21.33
			2/15/12	ROOSTERS-MS INVESTIGATN #4	37.16
			2/15/12	JIM NEELY-MS INVESTIGTN #4	3.28
			2/15/12	KCI ECONO LOT-MS INVEST #4	18.00
			2/15/12	HIGH POINT COFFEE-MS INV#4	9.26
			2/15/12	CIAO-MS INVESTIGATION #45,	10.79
			2/15/12	OXFORD INN-MS INVESTIGTN#4	209.28
			2/15/12	OXFORD INN-MS INVESTIGTN#4	209.28
			2/15/12	KTA-MS INVESTIGATION #45,7	2.50
			2/15/12	WMART-TV WEIGHT ROOM	536.00
			2/15/12	AM AUTO PARTS-HEADLIGHT #2	94.63
			2/15/12	AM AUTO PARTS-SALES TAX	6.63-
			2/15/12	SEARS - JACK WAREHOUSE	159.98
			2/15/12	474J&R-STOP LITE SWITCH,LO	97.89
			2/15/12	WMART-RANGE SUPPLIES	12.56
				TOTAL:	7,585.89
LAW ENFORCEMENT TRAIN	LAW ENFORCEMENT TR	CARROLL CONSULTING & TRAINING	2/27/12	INVESTIGATION TRAINING SEM	50.00
		CARD CENTER	2/15/12	NWTC-TASER INSTRUCT RECERT	350.00
			2/15/12	IAPE-PROPERTY/EVIDENCE TRN	350.00
			2/15/12	STREET CRIMES TRNG #29	395.00
				TOTAL:	1,145.00
===== FUND TOTALS =====					
01	GENERAL FUND			299,451.63	
02	GRANTS			9,172.63	
10	SPIN CITY			11,896.29	
12	BOND & INTEREST			30,146.07	
15	WATER & SEWER FUND			17,529.16	
17	ROLLING MEADOWS GOLF FUND			25,398.06	CR
18	STORM WATER			879.78	
19	ECONOMIC DEVELOPMENT			7.76	
23	SANITATION FUND			1,202.09	
47	DRUG & ALCOHOL ABUSE FUND			1,199.45	
50	SPECIAL LE TRUST FUND			7,726.86	
54	LAW ENFORCEMENT TRAININ			1,145.00	

	GRAND TOTAL:			354,958.66	

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-CITY OF JUNCTION CITY, KS
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 9,999,999.00CR THRU 9,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 2/14/2012 THRU 2/27/2012

PAYROLL SELECTION

PAYROLL EXPENSES: NO
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: GL Post Date
SEQUENCE: By Department
DESCRIPTION: Distribution
GL ACCTS: NO
REPORT TITLE: APPROPRIATIONS- FEB 14-FEB 27 2012-CS
SIGNATURE LINES: 0

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

Backup material for agenda item:

- b. Consideration of the February 21, 2012 City Commission Meeting Minutes.

CITY COMMISSION MINUTES

February 21, 2012

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, February 21, 2012 with Mayor Pat Landes presiding.

The following members of the Commission were present: Cecil Aska, Scott Johnson, Pat Landes, Jim Sands and Jack Taylor. Staff present was: City Manager Gerry Vernon, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

EXECUTIVE SESSION

An Executive Session to discuss personnel issues (City Manager evaluation & contract discussion) to include the City Commission and City Manager. Commissioner Aska moved, seconded by Commissioner Sands at 7:02 p.m. to adjourn into executive session for 10 minutes to discuss personnel issues (City Manager evaluation & Contract discussion) to include the City Commission, and City Manager. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. Commissioner Aska moved, seconded by Commissioner Sands to adjourn from Executive Session at 7:12 p.m. where no actions were taken, and no decisions were made. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried. Commissioner Sands moved, seconded by Commissioner Johnson to approve the City Manager contract as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

PUBLIC COMMENT

Frank Kubista requested that the Commission allow him to hold a bicycle event at Olivia Farms during Memorial Day weekend. Chief Brown stated that police resources would not be required for the event. Mr. Kubista stated that the Apostolic Academy has provided permission to use their lot for parking. Mayor Landes stated that there needs to be plans make for trash collection and disposal. Finance Director Beatty stated that the City should required insurance where the City is listed as additional insured. Commissioner Johnson moved, seconded by Commissioner Johnson to allow a bicycle event at Olivia Farms as presented. After the discussion about insurance and parking, Commissioner Johnson moved, seconded by Commissioner Sands to table approval of the event. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

CONSENT AGENDA

Consideration of Appropriation Ordinance A-4-2012 dated February 1, 2012 through February 13, 2012 in the amount of \$1,100,409.75. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of the February 7, 2012 City Commission Meeting Minutes. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of request for street closing for the "Run for the Wall" event. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of approval to send unpaid water bills to setoff/collections. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration to 20 golf carts for a reduction of cart fleet from 60 to 40 carts. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of ambulance contractual obligation adjustments and bad debt adjustments. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of payment to the annual fees for the City member in the Kansas River Water Assurance District No. 1 in the amount of \$15,636.31. Commissioner Taylor moved, seconded by Commissioner Sands to approve the consent agenda as presented. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

APPOINTMENTS

Consideration of a candidate appointment to the Board of Trustees of the Dorothy Bramlage Public Library. Commission Aska moved, seconded by Commissioner Johnson to approve the appointment of Cleopatra Jones to fill the remainder of a four year term. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

UNFINISHED BUSINESS

Consideration of Ordinance G-1108, a rate increase from \$16.00 to \$16.50 per household, and \$8.00 to \$8.25 for a second cart. Finance Director Beatty Presenting. Finance Director Beatty stated that she had not received comments form the community regarding the rate increase. Mayor Landes asked if the City would be purchasing the trash carts form Veolia. Finance Director Beatty stated that the purchase of the carts is reflected in the budget; she stated that an outside appraiser will determine the value of equipment. Finance Director Beatty stated that the budget reflects purchases for future capital needs such as trucks; they are budgeted. Finance Director Beatty stated that as the program grows, additional options such as recycling may be offered. Commissioner Taylor asked if there would be fuel surcharge costs as the price of fuel

increases. Financed Director Beatty stated that that is a policy worth considering, and there is a need to address the purchase of fuel from Geary County. Commissioner Taylor moved, seconded by Commissioner Sands to approve Ordinance G-1108 on Final Reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance S-3103 amending the approved district plan for a redevelopment district within the City; confirming certain finding in conjunction therewith (Dick Edwards Auto Plaza Project); and amending Ordinance S-3026. City Attorney Logan presenting. (Final Reading) City Attorney Logan stated that the change proposed by the ordinance would allow for the development of an auto plaza instead of a strip mall. Mayor Landes requested confirmation that approval of this ordinance does not approve the auto plaza project. City Attorney Logan stated that there is a waiting period on the protest period from the County and USD 475; after the protest period, a specific plan will be presented for consideration by the Commission. Commissioner Aska stated that the City's financial advisor Colombia Capital will provide advice on the project, and an assessment of the financials provided by the developer. City Attorney Logan stated that County Attorney Steve Opat has requested a meeting to discuss the project. Commissioner Taylor moved, seconded by Commissioner Johnson to approve Ordinance S-3103 on final reading. Ayes: Aska, Johnson, Lands, Sands, Taylor. Nays: none. Motion carried.

NEW BUSINESS

Resolution R-2665 scheduling a public hearing to consider amendments to NRP. City Attorney Logan presenting. Commissioner Johnson stated that it would be good to open up as much of the town as possible to the NRP program for 10 years at 95% Commissioner Taylor moved, seconded by Commissioner Aska to approve Resolution R-2665. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Resolution R-2664 relating to Grocery Supply IRB Termination. City Attorney Logan presenting. Commissioner Sands moved, seconded by Commissioner Taylor to approve R-2664. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance S-3104 rezoning of property at the southeast corner of Washington and Chestnut from "CSR" Service Commercial Restricted District, "MH" Mobile Home Park District, and "CCS" Central Commercial Special District to "CG" General Commercial District. Planning & Zoning Director Yearout presenting (First Reading). Commissioner Taylor moved, seconded by Commissioner Johnson to approve Ordinance S-3104 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance S-3105 rezoning of numerous properties on the south side of 7th Street Adams Street and Garfield Street from "CSP" Special Commercial District to "RM" Multiple Family Residential District. Planning & Zoning Director Yearout presenting (First Reading). Commissioner Sands moved, seconded by Commissioner Aska to approve Ordinance S-3105 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of award of bid for the 2012 contractual mowing contract – blight properties. Assistant City Manager McCaffery presenting. Commissioner Aska asked how the variety in size of lawn is charged. Assistant City Manager McCaffery stated that a size template is included in the bid. Commissioner Johnson stated that people need to pay their blight mowing quickly so they do not go on the tax rolls and create problems. Finance Director Beatty stated that the City will be also using the services of a collection agency. Commissioner Sands stated that he hopes a new contractor has been selected this year. Assistant City Manager McCaffery stated that the same contractor is being recommended by the City, but the mowing standards have changed. Mayor Landes asked if this is a single year contract. Assistant City Manager McCaffery responded in the affirmative. Commissioner Aska moved, seconded by Commissioner Johnson to approve award of bid for the 2012 contractual mowing blights contract to F&R Services. Ayes: Aska, Jonson, Landes, Taylor. Abstention: Sands. Nays: none. Motion carried.

Consideration of award of bid for the 2012 contractual mowing contract for the City parks. Assistant City Manager McCaffery presenting. Commissioner Aska asked if the City is able to reduce mowing if weather conditions permit. Assistant City Manager McCaffery stated that the City has that option. Commissioner Aska moved, seconded by Commissioner Johnson to approve the 2012 contractual mowing contract for the City Parks to C&M Services. Ayes: Aska, Johnson, Landes, Taylor. Abstention: Sands. Nays: none. Motion carried.

Consideration and award of bid for the 2012 contractual mowing of various City public properties. Assistant City Manager McCaffery Presenting. Assistant City Manager McCaffery stated that mowing in the Grant Ave. median will increase due to high growth last year; also, mowing will be completed to help preserve the City streets in areas vacant. Commissioner Sands asked what properties the recreation department will be mowing. Parks & Recreation Director Lazear stated that the Parks Department limits mowing to athletic fields. City Attorney Logan stated that mowing completed on vacant properties can be charged to the property owner; notice needs to be provided. Commissioner Taylor stated that he is worried about the possibility of grass fires in areas that are not being mowed. Commissioner Aska moved, seconded by Commissioner Taylor to approve bid for the 2012 contractual mowing contract for public properties. Ayes: Aska, Johnson, Landes, Taylor. Abstention: Sands. Nays: none. Motion carried.

Consideration and approval of award of award of bid for the Price's Ravine Storm Improvements to J&K Contracting, LLC in an amount of \$161,564.00 Assistant City Manager McCaffery presenting. Commissioner Johnson asked how the area got to the condition that it is in, and the cause of this problem is the drainage project that was completed on K-57. Commissioner Johnson stated that the chain link fence for the property is not needed, and should not be completed by a company that does not specialize in fences. Assistant City Manager McCaffery stated that the purpose of the fence is for security. Commissioner Johnson stated that he felt the ravine is too steep to require a security fence. Commissioner Aska asked if the fence area could be reduced, and use fence that already exists. Commissioner Johnson stated that the bids do

not make sense considering the Engineer's estimates. Assistant City Manager McCaffery stated that bidders will allocate project costs to their financial advantage, and this explains the irregularities between the bids and engineer estimates. Mayor Landes asked if the area will still be steep. Assistant City Manager McCaffery stated that the area will be steep, but armored with a new fabric product which is anchored to the eroding wall. Commissioner Taylor asked if the state can help with this project due to the K-57 improvements. Assistant City Manager McCaffery stated that help from the state is unlikely because the K-57 project was a City project. Commissioner Sands stated that this needs to be corrected or the building could be lost. Commissioner Johnson stated that he would not purchase this project with his own money. Commissioner Aska asked if the project could move forward without the fencing. City Manager Vernon stated that items could be added or removed from the bid. Commissioner Johnson stated that he believes there is enough City staff to bid out some of the project costs separately; he stated that he cannot believe the costs on this project. Leon Osborn stated that the project as presented does not require permits which would be necessary if work within the waterway was completed. Leon Osborn stated that he agrees with Mr. McCaffery's assessment on the bid irregularities. Commissioner Aska asked Mr. Osborn if he felt J&K could do a good job on the project. Mr. Osborn stated that he is confident in their abilities. Commissioner Sands stated that he is worried that erosion might occur behind the fabric material, and undermine the project. Commissioner Johnson stated that he is unable to vote for this due to the high cost, and 1-year warranty. Commissioner Aska moved, seconded by Commissioner Sands to approve award of bid for the Price's Ravine Storm Improvements to J&K Contracting, LLC in an amount of \$161,564.00; also look to reduce cost of fencing. Ayes: Aska, Landes, Sands, Taylor. Nays: Johnson. Motion carried.

Consideration of Resolution R-2663 for establishing new administrative fees for Section II of Code of City Ordinances. Finance Director Beatty presenting. Mayor Landes asked what other Cities charge as administrative fees. Finance Director Beatty stated that fees range from \$25 to \$200. Finance Director Beatty stated that the City wants to get out of the business of being a mowing contractor. Commissioner Sands moved, seconded by Commissioner Taylor to approve Resolution R-2663. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Resolution R-2662, a resolution supporting the establishment of a gaming facility in Junction City. Finance Director Beatty presenting. Commissioner Taylor stated that in the past, this City approve a referendum with 2/3 of the vote for approval of a facility. Commissioner Johnson stated that he is fine with a casino, but normal business need to prosper for the City to be successful. Commissioner Sands moved, seconded by Commissioner Taylor to approve Resolution R-2662. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1109 requesting wastewater code changes. Finance Director Beatty Presenting (First Reading). Commissioner Aska moved, seconded by Commissioner Taylor to approve Ordinance G-1109 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

Consideration of Ordinance G-1110 requesting wastewater code changes. Finance Director Beatty presenting (First Reading). Commissioner Taylor moved, seconded by Commissioner Sands to approve Ordinance G-1110 on first reading. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: none. Motion carried.

COMMISSION COMMENTS

Commissioner Sands stated that he will be participating in the Walk Kansas event which is an eight week workout routine. He also stated that the Black History essays that he listened to were great.

Commissioner Johnson stated that there will be a town hall meeting at the Opera House on 2-28-2012.

Commissioner Taylor stated that the approved City Manager contract will be posted on the City website.

Mayor Landes reminded the community that it is the girl scouts 100 year anniversary. He stated that he attended a Little Theatre performance, and it was great. Mayor Landes participated in a Rolling Meadows meeting that went great, and there was discussion about tournaments and improvements to the clubhouse. An open forum to discuss the Helland property occurred, and Randy Testa will be working to pinch pennies towards ideas such as a community garden, and a dog park; Mayor Landes stated that the property can be transitioned from weeds to Kansas prairie. Mayor Landes stated that there will be a meeting regarding progress on the US 77 project on 2-29-2012 at the Opera House.

STAFF COMMENTS

City Manager Vernon stated that he appreciates the vote of confidence with the contract approval. City Manager Vernon stated that there needs to be a work session on the issue of Annexation.

City Attorney Logan stated that the TIF could be discussed at the joint City/County meeting on Monday at 4:00 PM at the County office building.

Assistant City Manager McCaffery stated that Lori Hodgson has returned to her duties with the Self Help Housing program.

ADJOURNMENT

Commissioner Aska moved, seconded by Commissioner Johnson to adjourn at 9:55 p.m. Ayes: Aska, Johnson, Landes, Sands, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 6TH DAY OF MARCH 2012 AS THE OFFICIAL COPY OF
THE JUNCTION CITY CITY COMMISSION MINUTES FOR FEBRUARY 21, 2012.

Tyler Ficken, City Clerk

Pat Landes, Mayor

Backup material for agenda item:

- c. Consideration of Tallgrass Cycling event in the Olivia Farms subdivision on May 26, 2012.

City of Junction City

City Commission

Agenda Memo

03-06-12

From: Tim Brown, Chief of Police
To: Gerry Vernon, City Manager
Subject: **Tallgrass Cycling Event**

Objective: Frank Kubista requests authorization to hold a Tallgrass Cycling Event in the Olivia Farms subdivision on May 26, 2012 at 1:00 pm.

Explanation of Issue: On May 26, 2012 at 1:00 pm, an organization known as Tallgrass Cycling has requested to hold a cycling event in the northern area of Olivia Farms subdivision north of Buddy Drive and Fort Avenue, which is currently blocked off by barricades placed there by Veolia Water at the request of the City of Junction City (see attached map). The event should involve 100 - 150 cyclists and will be one of two stages of the cycling event held in Geary County on that day. The first stage of the event will occur that morning at Milford Lake. The second stage will be held in the Olivia Farms subdivision. A third stage will occur on May 27 on Fort Riley. This stage at Olivia Farms will occur over a six hour period from 1:00 - 7:00 pm and will have staggered start times for six men's divisions and two women's divisions.

Parking for the event will be located at the Apostolic Academy and along the north side of Rucker Road and also on Lucy Court. Lucy court is a dead end street located within the subdivision itself. Overflow parking, if needed, would occur in the Sutter Woods area along the streets as prescribed by law.

The event will be monitored by the Police Department but it has been made clear to Tallgrass officials that no City resources or monies will be expended to support this event. It has also been stressed to them that the residents of Olivia Farms should not be inconvenienced and that any parking violations or other safety issues will be immediately dealt with by the Police Department if necessary.

The barricades currently in place at Cinder Lane and Fort Avenue will need to be moved one block south to the intersection of Buddy Drive and Fort Avenue. In addition, barricades will need to be placed at Buddy Drive and Cinder Lane to accommodate the race course.

Budget Impact: There is no impact on the budget.

Alternatives: The Commission may approve, deny, or postpone the event.

Special Considerations: There are no special considerations.

Recommendation: Staff recommends approval for Tallgrass Cycling to hold their event as previously described.

Suggested Motion:

Move to approve the Tallgrass Cycling organization to hold their Tallgrass Cycling event in Olivia Farms subdivision on May 26, 2012 .

Enclosures: Tallgrass Criterium Bike Course.

Tallgrass Criterium Bike Course

Date: 26 May 2012

Time: Start @ (approx) 1300



Overflow parking: South of Rucker Rd (in Sutterwoods) on empty streets

Backup material for agenda item:

- d. Consideration of award of bid for 100 Trojan brand, model 1275 golf cart batteries.

**City of Junction City
City Commission
Agenda Memo**

6 March, 2012

From: John Bernstein, Rolling Meadows General Manager
To: Gerry Vernon, City Manager, and City Commission
Subject: Award of Bid – 100 golf cart batteries for Rolling Meadows Golf Course

Objective: Consideration of Award of Bid to Masek in the amount of \$14,000.00 for 100 Trojan Brand, model 1275 golf cart batteries.

Explanation of Issue: Rolling Meadows staff recently surplused 20 golf carts, reducing the fleet to meet the needs of annual course usage and to provide revenue for new batteries to extend the life of the remaining fleet. The bid process was opened on February 22, 2012 and closed on March 2, 2012. The request for bids was published in the Daily Union and the City's current web site. One bid was received in this process from Masek; four companies were direct solicited and one bid was received in the amount of \$14,000.00.

Budget Impact: Purchase of cart batteries will be made from revenues from the sale of the surplused carts.

Alternatives:

1. Approve, Disapprove, Modify, or Postpone.

Recommendation: Staff recommends the approval of Award of Bid to Masek in the amount of \$14,000.00.

Special Consideration: Parks and Recreation staff has received no comments from the public on this item.

Enclosures: Bid tabulation

Bid: Cart Battery Purchase

Date: 3-2-2012

Time: 10:00 AM

Department: Parks & Recreation

No.	Direct Solicited	Bidder	Local Vendor Preference	Bid Bond	Performance and Material Bond	Addendum	Signed Bid	Bid Amount	*Bid Rank
1	X	Masek						14,000	1
	X	RMI							
	X	Buckman Farm							
	X	Kansas Golf & Turf							
5									
6									
7									
8									
9									
10									

*As Read Only

Backup material for agenda item:

- e. Consideration of award of bid Athletic Fields Maintenance, Rather Stadium. (Bid NO-PR 12-001)

City of Junction City

City Commission

Agenda Memo

6 March, 2012

From: Edward Lazear, Parks and Recreation Director
To: Gerry Vernon, City Manager, and City Commission
Subject: **AWARD OF BID ATHLETIC FIELDS MAINTENANCE, RATHERT STADIUM.**

Objective: Consideration of Award of Bid Athletic Fields Maintenance, Rathert Stadium. (Bid NO - PR 12-001) for a total amount of \$7,531.00.

Explanation of Issue: The Parks and Recreation Department advertised requests for bids to provide athletic field maintenance to include fertilizer and herbicide application at Rathert Stadium with qualified vendors for the period of one year. The bid process was opened on February 1, 2012 and closed on February 15, 2012. The request for proposals was published in the Daily Union and the City's website. One bid was received in this process from Game Time Turf Care, Inc. The proposal was reviewed and met all requirements of the RFP.

This typically would not need to go before the Commission because it is below the \$10,000.00 threshold for contracts. However, additional applications of chemicals may be necessary to adjust for any numerous summer weather conditions that could place the final amount over \$10,000.00 and therefore could qualify for Commission approval.

Budget Impact: Approval of proposal will lock in the annual field maintenance for Rathert Stadium for the 2012 budget year. The annual field maintenance is budgeted for in the 2012 Parks Maintenance Budget.

Alternatives:

1. Approve, Disapprove, Modify, or Postpone.

Recommendation: Staff recommends the Award of Bid from Game Time Turf Care, Inc. in the amount \$7,531.00

Special Considerations:

Enclosures: Game Time Turf Care, Inc Proposal.

Bid Sheet

Note: For Basis for Comparison, use approximately 90,000 square feet of fescue turf located at Rathert Stadium as the basis for completing this bid sheet.

Service:	Costs:
	<u>Per Job</u>
1. Fertilization per application	<u>\$ 656.⁰⁰</u>
2. Crabgrass herbicide per application	<u>\$ 520.⁰⁰</u>
3. Broadleaf control herbicide per application	<u>\$ 440.⁰⁰</u>
4. Grub control insecticide per application	<u>\$ 970.⁰⁰</u>
5. Shattertine aeration – two directions	<u>\$ 960.⁰⁰</u>
6. Drill, seed fescue / bluegrass mix	<u>\$ 1,695.⁰⁰</u>
7. Core aeration / top dress of sand	<u>\$ 2,270.⁰⁰</u>
Total	<u>\$ 7,531</u>

The bidder must also include for each of the above - application rate and product used, and all charges that will apply, even if those charges are not explicitly mentioned in the RFP.

Other Charges:

- ⊕ Please See attached for Full List of services on this bid.
- ⊕ Fertilizer per application charges vary.
- ⊕ Shattertine aeration pricing vary
- ⊕ Sand not included in cost of topdressing.



P.O. Box 55
Weston, MO 64098
877.891.2476
Email:
Info@GameTimeAthletics.com

2/14/2012

RE: Athletic Field Maintenance, Bid NO. PR 12-001

References - See Attached.

Employee Certifications

Blake Siler - Certified in Sports Turf Management, Certified Pesticide License in State of Kansas and Missouri

Warranty

1 Year Warranty on all quoted work. For maintenance work we supply the products manufacturer warranty plus will re-apply an application if needed at no charge to the city.

Equipment

John Deere Tractors with Turf Flotation Tires
Aer-Way Shattertine Aerator
John Deere Aer-core 1500 Core Aerator
John Deere Dedicated Computerized Sprayer
Fertilizer Spreader
Ty-Crop TD460 Larger Area Topdressor
LandPride 60" Over seeder

How we Charge

Per Job

We accept Credit Card but generally extent 30 days terms to our customers.

Services

Athletic Field Construction
Athletic Field Maintenance
Sports Facility Equipment
Consulting, Includes Soil Sampling

Priority Service

We strive to provide priority service within 24 hours of being contacted by our customer. We know time is critical on athletic fields so we will make it a point to help solve your issue in a timely manner.



18580 Hwy. P
Weston, MO 64098
877.386.Turf
Email:
Info@GameTimeTurf.com

Trade References

City of Gladstone
Matt Hoops - Director
P.O. Box 10719
Gladstone, MO 44188
816.691.6827

Baker University
Gary Walbridge - Maintenance Supervisor
P.O. Box 65
Baldwin City, KS 66006
785.594.8416

City of Junction City
Ed Lazear - Supervisor
P.O. Box 287
Junction City, KS 66441
785.210.7131

Geary USD 475
Matt Westerhaus - Athletic Director
P.O. Box 370
Junction City, KS 66441
785.375.3806

Missouri Wolverines Youth Football
Jim Tusso - President
P.O. Box 790
Liberty, MO 64069
816.564.3090

Platte Country R-3 School District
Phil Dorman - A.D.
P.O. Box 1400
Platte City, MO 64079
816.858.2822

Ray-Pec School District
Jeff Donaldson - Head Grounds Keeper
401 South 3rd St.
Peculiar, MO 64078
816.365.3705

Raytown School District
Bob Glasgo - District A.D.
5911 Blue Ridge Blvd
Raytown, MO 64133
816.268.7000

Tonganoxie Recreation Commission
Russell Kimberlin - Head Grounds Keeper
P.O. Box 479
Tonganoxie, KS 66086
913.620.1500

Hickman Mills School District
Gene Millentree - District A.D.
9000 Old Santa Fe Rd.
Kansas City, MO 64138
816.835.5951

Grandview High School
Rusty Nachbar - Director of Maintenance
2480 High Grove Rd.
Grandview, MO 64030
816.316.5924

Raytown Soccer Club
Warren Brown - Maintenance
6029 Raytown Rd.
Raytown, MO 64133
816.916.7721

Sun Consultants
Jack Woodberry - Project Manager
906 Black Cherry Ct.
Belton, MO 64012
816.718.9151

Sports Construction Management
Leroy Lawson - Manager
412 Will Snider Rd.
Linwood, NC 27299
704.902.2928

Backup material for agenda item:

- f. Consideration of a Memorandum of Understanding between the City of Junction City and the Junction City Junior Baseball Association for the use of City facilities

City of Junction City

City Commission

Agenda Memo

6 March, 2012

From: Ed Lazear, Parks & Recreation Director
To: Gerry Vernon, City Manager, and City Commission
Subject: **Memorandum of Understanding between the City of Junction City and the Junction City Junior Baseball Association for use of City Facilities.**

Objective: Consideration of a Memorandum of Understanding between the City of Junction City and the Junction City Junior Baseball Association for use of City facilities.

Explanation of Issue: During the 2011 season the Junction City Junior Baseball Association utilized recreational facilities located at North Park and Rathert Stadium for recreational and competitive baseball programs. This Memorandum of Understanding outlines city services provided to the Junction City Junior Baseball Association and the associated fees. This agreement represents the 2nd year of formal contracts between the JCJBA and the City of Junction City. Changes from last years agreement will include a fee increase from \$20.00 to \$25.00 per game day. Language has been added to the agreement to allow JCJBA to post advertising signs on the outfield fence.

Budget Impact: Approval of this agreement will provide an estimated \$2,208.00 in revenue for the Parks Department. This amount is based upon fees outlined and the facility usage in 2011.

Special Considerations: Parks and Recreation staff has received no comments from the public on this item.

Alternatives:

1. Approve, Disapprove, Modify, Table

Recommendation: City Staff recommends approval of this memorandum of understanding with JCJBA for the 2012 season.

Enclosures: Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING 2012

This agreement executed by and between the City of Junction City, Kansas, hereinafter referred to as the City and the Junction City Junior Baseball Association, a Kansas Non-profit organization, hereinafter referred to as JCJBA shall be renegotiated annually.

The City shall provide four (4) ball diamonds at the North Park Complex and (1) ball diamond at Rathert stadium for annual use by JCJBA during youth season from mid May through July 2012, with all practice, game and tournament schedules approved through the Parks and Recreation Department.

The City will provide the following, subject to City budget limits:

1. Restrooms and water fountains in clean working order for participants, spectators, coaches and officials.
2. Playing fields meeting generally agreed upon standards for safety and playability. Maintenance to include infield preparation for practices Monday through Thursday, 5:00-9:00 p.m. or when field conditions dictate otherwise and on game days. Fields will be mowed, trimmed, reseeded, fertilized and watered as determined by the City. The aforementioned duties will be done from May through July.
3. Maintenance of the electrical system for lights and scoreboards for the five (5) ball diamonds at the North Park and Rathert Complexes.
4. Should any "Complex" be vandalized during JCJBA games, it is the responsibility of JCJBA to pay for damaged property. For example, restrooms and concessions are to be maintained in the original condition as presented at the start of the season.
5. City agrees to provide diamond time to the JCJBA in direct proportion to the number of teams playing during the youth baseball season. The Parks and Recreation Department will have control over the blocks that have been allotted. JCJBA diamond time will consist of Mondays - Thursdays between 5:00 p.m. to 9:00 p.m. for practices, game days Mondays – Fridays between 5:00 p.m. to 10:00 p.m. Saturdays between 8:00 a.m. and 8:00 p.m. Sundays between 1:00 p.m. and 7:00 p.m. Weekend days are subject to change in the future when paid facility reservations are scheduled. In these cases, JCJBA will yield.

Scheduling of any/all tournaments that do not fall on the aforementioned days will be submitted to the City of Junction City for approval in a timely manner. The number of tournaments will be negotiated as dictated by the League schedules.

6. Maintenance of the North Park and Rathert Fields will include infield preparation and mowing. Will provide anchor bases/plate for this field.
7. Reasonable parking will be provided at the North Park and Rathert complexes.

8. Will provide trash receptacles and removal of trash from all barrels/cans at the North Park and Rathert Complexes.
9. Will grant access to storage rooms at the North Park and Rathert Complexes to include restrooms, concessions, and ball field lights.
10. Will grant JCBA permission to sell and erect up to sixteen (16) 8' x 8' outfield fence advertising signs at Rathert Stadium and up to twenty (20) 4' x 8' outfield fence advertising signs at the North Park Complex. Sign design and contents to be approved by Parks and Recreation Director prior to installation.
11. Will provide access to the above-mentioned areas by key access only. JCJBA will be provided twelve (12) keys to be shared between board members. JCJBA will check out keys and return keys at the City Parks Department. If all keys are not returned, JCJBA will replace all locks at their cost.
12. Determination of field conditions and playability. Determine use of field drying methods to be used, quantity of product to be applied and type of product to be used. Will alert a JCJBA member of field conditions in question no later than two (2) hours prior to game time.
13. Rainout games the City will provide field preparation.
14. Will provide two (2) emergency contact numbers for maintenance issues for after working hours.
15. Will provide the necessary updates and maintenance on all fields needed.
16. Will provide ball field preparation services for games and tournaments only.
17. Will provide extra trash receptacles, trash bags for tournaments.

The JCJBA, Inc. will provide the following:

1. Administration of recreational and competitive baseball program in Junction City. They will promote a safe & positive arena for youth baseball to be played.
2. Schedule all league games, all pre and post season tournament games with the approval of the Junction City Parks and Recreation Department.
3. Will provide, schedule & pay for all umpires needed for all JCJBA games.
4. Provide one Adult Supervisor at the North Park and Rathert Complexes during JCJBA games. They will also provide the City with a list of board members and contact

information. JCJBA will also provide a list of authorized coaches to schedule practice on behalf of JCJBA.

5. Copies of schedules for games and tournaments will be approved by the Parks and Recreation Department as soon as League Scheduling makes it possible. The City understands that this schedule can and will be subject to change and it is the responsibility of the JCJBA to get any changes to the Parks and Recreation Department.
6. Will reasonably oversee all aspects on every JCJBA game night. All damages or malfunctions must be reported to the City within the next business day.
7. Agrees to pay the city a fee of **\$25/day/field**, for the use of fields for games only. This fee covers dragging, chalking, chalk, installing bases and keeping the fields maintained.
8. JCJBA agrees to pay **\$25/day/field** for tournaments plus any additional field maintenance requests. Fee to be actual cost to the Parks and Recreation Department.
9. JCJBA is responsible for providing phone and phone line for emergency.

Concessions Amendment

1. The JCJBA will be in charge of operating concessions. Rental fee of \$100/month for each complex at the end of each month for the North Park and Rathert Complexes will be owed to the City.

Certification

I, the undersigned hereby certify that I am representing the majority of my organization and that I/my organization will abide by all aforementioned clauses in this document.

Approved this ____ day of March, 2012.

Pat Landes, Mayor

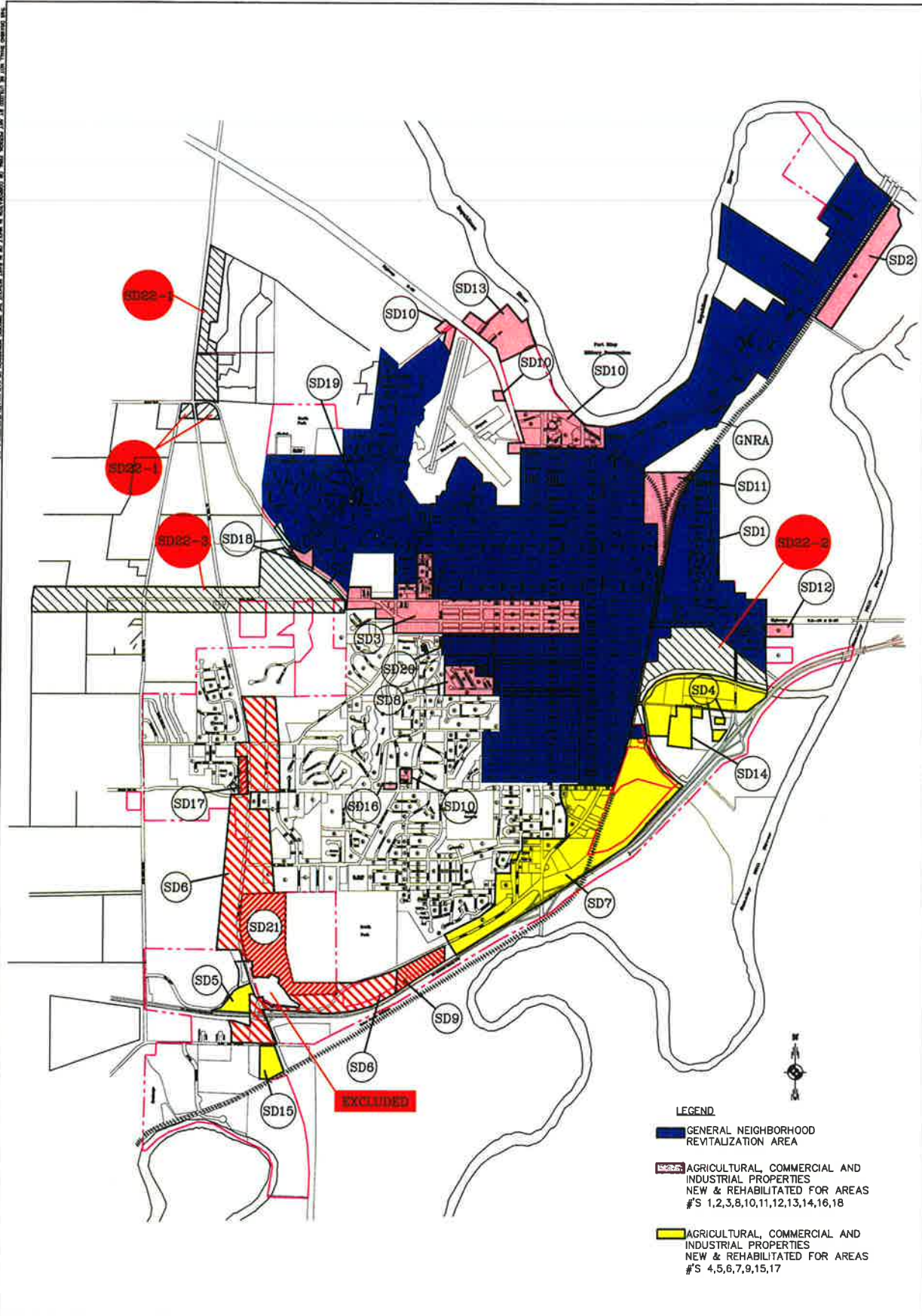
ATTEST:

Tyler Ficken, City Clerk

Brian Field, President
Junction City Junior Baseball Association

Backup material for agenda item:

- a. A public hearing to discuss amendments to the Neighborhood Revitalization Plan.



CITY OF JUNCTION CITY P.O. BOX 1876 JUNCTION CITY, KANSAS		KEY 2318 NORTH JACKSON P.O. BOX 1304 JUNCTION CITY, KANSAS 66441 785-782-5040 FAX 785-782-7744 E-MAIL jcity@key.com WEB SITE www.jcitykey.com		1 2-13-12 REVIEWED TO REFLECT CURRENT CONDITIONS 2 2-9-12 RETAIL STORE REV DATE DESCRIPTION DSN DWN CHK	
NEIGHBORHOOD REVITALIZATION DISTRICT		KAW VALLEY ENGINEERING, INC. - CONSULTING ENGINEERS OFFICE: Junction City, KS Kansas City, MO Lawrence, KS Topeka, KS			



KAW VALLEY ENGINEERING, INC.

January 30, 2012
A12D5877

Mr. Ben Kitchens, EDC Chairman
Economic Development Commission
P.O. Box 1876
Junction City, Kansas 66441

RE: Amendments to the Neighborhood Revitalization Plan

Dear Mr. Kitchen:

In reviewing the proposed areas, it was discovered that some of the proposed areas have already been included within past amendments. Therefore KVE has completed a complete review of the existing plan, ending with Revision SD21 dated April 20, 2010, R 2603.

Kaw Valley Engineering, Inc.'s (KVE) original proposal was to add four (4) new areas to the plan and evaluate if the proposed areas met the statutory findings per KSA 12-17, 11S.

Area No. 1 to be known as Special District 22-1 per our proposal dated January 10, 2012, included areas at the intersection of Highway 77 and Rucker Road and north several thousand feet on the east side of Highway 77.

The southern portion consists of two (2) platted lots, one east and the other west of Highway 77. Both of these lots have inadequate access to Highway 77. With the proposed improvements to Highway 77 access will be further degraded. Incompatible land use as it is predominantly within a residential neighborhood. Both of these properties have high special assessments and are zoned commercial.

The north portion of the property lying north of Rucker Road and east of Highway 77 have a substantial number of deteriorating structures, inadequate street and incompatible land use relationships. After improvements to the intersection of Highway 77 and Rucker Road, access will be further degraded. Property further north will have no access to Highway 77 creating inadequate street as well as faulty lot layout in relation to size adequacy and usefulness.

The above condition substantially impair arrest to the sound growth of the City, retard the provision of housing accommodation, constitute an economic or social liability and are determined to the public health, safety or welfare in its present condition and use.

other locations

SPECIAL DISTRICT 22-1

**RUSSELL J JOHNSON/N OF RUCKER, BEING EAST OF HWY 77 AND WEST OF DOC
HARGREAVES ADDITIONS**

DESCRIPTION:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 5 EAST AND THAT PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN IN THE COUNTY OF GEARY, STATE OF KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF RUSSELL J. JOHNSON ADDITION TO THE CITY OF JUNCTION CITY; THENCE ON AN ASSUMED BEARING OF S 00°37'19" E ALONG THE WEST LINE OF SAID RUSSELL J. JOHNSON ADDITION AND THE WEST LINE OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 5 AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 1311.83 FEET TO THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF HUNTER'S RIDGE ADDITION UNIT NO. 1;

THENCE S 89°39'26" W ALONG SAID NORTHERLY LINE AND ITS EASTERLY PROLONGATION, A DISTANCE OF 223.50 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF RUCKER ROAD;

THENCE N 27°51'30" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 63.07 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE N 80°33'00" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77, A DISTANCE OF 350.78 FEET;

THENCE N 12°23'56" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 366.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5654.65 FEET, AN ARC LENGTH OF 869.08 FEET, A CHORD BEARING OF N 00°21'19" W, AND A CHORD DISTANCE OF 868.23 FEET;

THENCE N 04°02'40" E CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2416.29 FEET;

THENCE S 63°23'35" E A DISTANCE OF 647.69 FEET;

THENCE S 04°02'40" W A DISTANCE OF 1151.97 FEET;

THENCE N 85°57'20" W A DISTANCE OF 284.12 FEET;

THENCE S 04°02'40" W A DISTANCE OF 520.31 FEET;

THENCE N 89°39'08" E A DISTANCE OF 315.13 FEET;

THENCE S 00°37'19" E A DISTANCE OF 241.62 FEET TO THE WESTERLY LINE OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 5;

THENCE S 46°12'15" W CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 73.88 FEET;

THENCE S 04°02'40" W CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 148.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NICOLE LANE;

THENCE N 89°39'08" E ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 65.92 FEET;

THENCE S 00°37'19" E A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

AND

LOT 1, BLOCK 2, TURKEY HOLLOW ADDITION TO JUNCTION CITY, KANSAS

AND

LOT 1, BLOCK 1, TURKEY RIDGE ADDITION TO JUNCTION CITY, KANSAS

Area No. 2 to be known as Special District 22-2 per our proposal dated January 10, 2012, involve property east of the sale barn and north of the old river channel and south of 6th Street right-of-way over to I-70 right-of way.

Special District 22-2 consists of undeveloped property with an old farm home site adjacent to an old river channel that has several characteristics that make it a prime candidate for neighborhood "vitalization". The existence of high tension wires across the western portion as well as major gas mains makes it difficult to develop in the face of the utility right-of-way and fears of electric fields of energy. The extraordinary high land preparation costs and fill requirements due to the 100-year flood plain causes faulty lot layouts to size adequacy and usefulness. The relationship for existing arterial and interstate right-of-way will create an inadequate street system. The eastern portion has a number of deteriorating structures that have created a public health concern.

The above described conditions make Special District 22-2 difficult to develop and substantially impair and arrests the sound growth of the City.

ALTWEGG - EAST OF SALES BARN, NORTH OF ABANDONED SMOKY HILL RIVER CHANNEL

DESCRIPTION TRACT "A":

A TRACT OF LAND LOCATED IN NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 6 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS AND BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE ON AN ASSUMED BEARING OF N 00°33'40" W ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 555.05 FEET;

THENCE N 89°26'20" E A DISTANCE OF 73.32 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF EAST STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;

THENCE N 02°49'22" W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 19.38 FEET;

THENCE N 12°57'45" W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 229.01 FEET;

THENCE N 00°01'53" W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 449.62 FEET TO A POINT ON THE OLD MILITARY RESERVATION LINE;

THENCE S 52°46'27" E ALONG SAID OLD MILITARY RESERVATION LINE, A DISTANCE OF 1138.02 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 70;

THENCE S 42°04'24" W ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 135.02 FEET;

THENCE N 79°45'50" W ALONG THE TOP OF BANK OF THE ABANDONED SMOKY HILL RIVER CHANNEL, A DISTANCE OF 131.83 FEET;

THENCE S 85°59'08" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 63.61 FEET;

THENCE S 70°40'45" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 64.12 FEET;
THENCE N 82°13'45" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 53.44 FEET;
THENCE S 87°53'43" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 106.97 FEET;
THENCE N 83°38'41" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 109.53 FEET;
THENCE N 70°54'14" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 254.75 FEET TO THE POINT OF BEGINNING. CONTAINS 8.46 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
END OF DESCRIPTION

DESCRIPTION TRACT "B":

A TRACT OF LAND LOCATED IN NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS AND BEING DESCRIBED AS FOLLOWS;
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF N 00°33'40" W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 621.05 FEET;
THENCE S 89°26'20" W A DISTANCE OF 177.70 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EAST STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;
THENCE N 69°15'52" W ALONG THE TOP OF BANK OF THE ABANDONED SMOKY HILL RIVER CHANNEL, A DISTANCE OF 490.66 FEET;
THENCE N 81°45'33" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 233.41 FEET;
THENCE S 86°23'47" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 229.98 FEET;
THENCE S 77°58'28" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 305.64 FEET;
THENCE N 86°03'52" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 158.92 FEET;
THENCE S 89°40'37" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 161.74 FEET;
THENCE S 83°14'50" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 214.68 FEET;
THENCE S 61°48'29" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 246.42 FEET;
THENCE S 74°16'59" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 138.37 FEET;
THENCE S 53°04'42" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 221.95 FEET;

THENCE S 28°33'58" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 318.23 FEET TO A POINT WHICH IS ON THE EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF 1ST STREET;
THENCE S 89°17'34" W ALONG SAID EXTENDED RIGHT-OF-WAY LINE, A DISTANCE OF 43.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;
THENCE N 09°52'45" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 774.80 FEET TO THE SOUTHWEST CORNER OF THE SALE BARN ADDITION, AS RECORDED IN THE REGISTER OF DEEDS OFFICE, GEARY COUNTY, KANSAS;
THENCE N 89°29'45" E ALONG THE SOUTH LINE OF SAID SALE BARN ADDITION, A DISTANCE OF 297.45 FEET TO THE SOUTHEAST CORNER OF SAID SALE BARN ADDITION;
THENCE N 00°31'23" W ALONG THE EASTERLY LINE OF SAID SALE BARN ADDITION, A DISTANCE OF 686.40 FEET;
THENCE N 89°20'22" E CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 331.16 FEET;
THENCE N 00°31'23" W CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 243.15 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 40, ALSO KNOWN AS 6TH STREET;
THENCE N 89°20'22" E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1092.93 FEET TO A POINT ON THE OLD MILITARY RESERVATION LINE;
THENCE S 52°46'27" E ALONG SAID OLD MILITARY RESERVATION LINE, A DISTANCE OF 852.57 FEET TO SAID WEST RIGHT-OF-WAY LINE OF EAST STREET;
THENCE S 00°01'53" E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 561.42 FEET;
THENCE S 15°13'40" W ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 187.79 FEET TO THE POINT OF BEGINNING. CONTAINS 52.33 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
END OF DESCRIPTION

NOTES: THE ABOVE TRACTS "A" AND "B" ARE THE SAME TRACTS OF LAND AS DESCRIBED IN DEED BOOK 99, PAGES 298-299 AND DEED BOOK 91, PAGE 1237.

Area No. 3 to be known as Special District No. 22-3 per our proposal dated January 10, 2012, consists of that land north and south of K-18 Highway from Rucker Road and Old K-18 Hwy west to the west line of the Middle School.

The property within this corridor is a mix of uses that involve vacant property to properties that have a substantial number of deteriorating structures. The lack of access to both Highway 77 and K-18 will create inadequate streets as well as a faulty lot configuration and further create incompatible land use. The properties are traversed by a flood plain, various utilities and abundance of rock out cropping that will substantially impair or arrest the sound growth of the city.

K-18 TO MIDDLE SCHOOL

DESCRIPTION:

A STRIP OF LAND OVER A PORTION OF THE SOUTH HALF OF SECTION 3 AND THE SOUTHEAST QUARTER OF SECTION 4 AND THE NORTH HALF OF SECTION 10 AND THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 SOUTH, RANGE 5 EAST, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING 1000 FEET WIDE LYING 500 FEET ON BOTH SIDES OF THE CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 3;

THENCE ALONG THE COMMON SECTION LINE OF SAID SECTION 3 AND SAID SECTION 10 TO THE SOUTHWEST CORNER OF SAID SECTION 3;

THENCE ALONG THE COMMON SECTION LINE OF SAID SECTION 4 AND SAID SECTION 9 TO SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 4, BEING THE POINT OF TERMINUS. THE SIDELINES OF THE ABOVE DESCRIBED STRIP OF LAND SHALL BE EXTENDED AND SHORTENED TO TERMINATE AT THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 4 AND THE WEST LINE OF SAID NORTHEAST CORNER OF SECTION 9.

AND

DESCRIPTION:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 5 EAST, COUNTY OF GEARY, STATE OF KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF N 07°35'15" E ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 508.83 FEET;

THENCE S 89°41'10" W ALONG A LINE PARALLEL AND 500 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 661.50 FEET TO THE POINT OF BEGINNING:

THENCE CONTINUING S 89°41'10" W ALONG SAID LINE A DISTANCE OF 1976.99 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER;

THENCE N 07°34'39" E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 950.43 FEET;

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THENCE N 77°57'39" E A DISTANCE OF 697.29 FEET;
THENCE S 39°02'29" E A DISTANCE OF 689.31 FEET;
THENCE S 39°43'46" E A DISTANCE OF 230.58 FEET;
THENCE S 70°06'17" E A DISTANCE OF 259.09 FEET;
THENCE S 54°53'18" E A DISTANCE OF 400.00 FEET;
THENCE S 20°40'22" E A DISTANCE OF 48.95 FEET TO THE POINT OF BEGINNING

Area No. 4 has been previously included in Amendment No. Special District 6, Special District 17, and Special District 21 per our proposal dated January 10, 2012.

TO BE REMOVED FROM NRP: NE QUAD, HWY 77 & GOLDENBELT BLVD
LEGAL DESCRIPTION: (TIFF DISTRICT)

A TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 5 EAST, A PART OF THE SOUTHWEST QUARTER OF SAID SECTION 15, AND A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 3, THE BLUFFS ADDITION TO JUNCTION CITY, KANSAS;

THENCE ON AN ASSUMED BEARING OF S 19°27'16" E ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD, A DISTANCE OF 10.59 FEET;

THENCE CONTINUING ON SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 494.14 FEET, A CHORD BEARING OF S 37°23'36" E, A CHORD DISTANCE OF 304.39 FEET, AN ARC DISTANCE OF 309.42 FEET;

THENCE N 85°05'08" W A DISTANCE OF 478.69 FEET;

THENCE S 13°26'25" W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 70, A DISTANCE OF 112.52 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 73°33'13" W A DISTANCE OF 442.40 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 00°00'53" E A DISTANCE OF 123.55 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 89°57'52" W A DISTANCE OF 108.05 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 65°32'47" W A DISTANCE OF 381.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 77;

THENCE N 00°28'39" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 406.64 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 24°28'06" W A DISTANCE OF 206.26 FEET TO A POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF JACK LACY DRIVE AND SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 65°31'54" W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 205.42 FEET;

THENCE N 24°28'06" W A DISTANCE OF 123.82 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTHWIND DRIVE;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 340.00 FEET, A CHORD BEARING OF N 00°52'45" W, A CHORD DISTANCE OF 134.87 FEET, AN ARC DISTANCE OF 135.77 FEET;
THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 10°33'38" E A DISTANCE OF 55.01 FEET;
THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET, A CHORD BEARING OF N 01°38'03" W, A CHORD DISTANCE OF 194.34 FEET, AN ARC DISTANCE OF 195.81 FEET;
THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 27°59'04" W A DISTANCE OF 118.61 FEET;
THENCE N 82°08'41" E A DISTANCE OF 370.84 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;
THENCE S 00°47'20" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 217.74 FEET;
THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S 24°27'16" E A DISTANCE OF 184.60 FEET TO A POINT OF INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77 WITH THE NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD;
THENCE N 65°32'44" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD, A DISTANCE OF 172.73 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 634.14 FEET, A CHORD BEARING OF N 85°55'01" E, A CHORD DISTANCE OF 441.49 FEET, AN ARC DISTANCE OF 450.93 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 41°15'21" E A DISTANCE OF 97.98 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 724.14 FEET, A CHORD BEARING OF S 58°58'44" E, A CHORD DISTANCE OF 287.73 FEET, AN ARC DISTANCE OF 289.66 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 14°45'04" W A DISTANCE OF 80.29 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 654.14 FEET, A CHORD BEARING OF S 31°51'00" E, A CHORD DISTANCE OF 280.83 FEET, AN ARC DISTANCE OF 283.04 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 19°27'16" E A DISTANCE OF 273.35 FEET TO THE POINT OF BEGINNING.
CONTAINS 26.22 ACRES, MORE OR LESS.
END OF DESCRIPTION

Backup material for agenda item:

- a. Consideration of Ordinance G-1110 regarding city code updates to wastewater codes. Finance Director Beatty presenting (Final Reading).

Junction City Commission
Agenda Memo – March 6, 2012

From: Cheryl S. Beatty, Finance Director
To: Gerry Vernon, City Manager, and City Commissioners
Subject: Ordinance No. 1110 – Wastewater Code Update

Objective: Consideration and approval of Ordinance No. 1110 regarding city code updates of wastewater code.

Explanation of Issue: Last year we did a comprehensive rewrite of the city utility codes knowing that we may find things we had forgotten to update or find code that may need to change. Section 1 adds definitions for residential and commercial/industrial customers, which is needed to make the changes in the next section. Section 2 is a re-write of the section to change the winter average from December/January to January/February/March. And, adds wording to allow for winter averaging for commercial businesses by application if the business meets policy criteria when they are not using water that would be deposited in the city wastewater system.

Budget Impact: These changes could result in a slight decrease in revenue.

Alternatives: It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may approve, disapprove, modify, or table the request.

Recommendation: Staff recommends the approval of Ordinance No. 1110.

Special Considerations: We had two complaints in the last year with businesses paying high water bills in the summer for taking care of landscaping, which in turn made their wastewater bills high for using water that did not go into the wastewater system.

Suggested Motion:

Commissioner _____ moves to approve Ordinance No. 1110 on final reading.

Commissioner _____ seconded the motion.

Enclosures: Ordinance No. 1110

Application and Policy Statement for Commercial Winter Averaging for Wastewater
Chart I – Other City Comparison

Application
Commercial Winter Averaging

Name of Business: _____

Address: _____ Junction City, Kansas

Contact: _____ Phone: _____

Description of water use for Commercial
property: _____

Signature of business owner or manager

Criteria for Commercial Winter Averaging:

- Water used will not flow into the City wastewater system.
- Water is not used for a commercial purpose.
- City has right to inspect facility to verify application description of water use.
- If business operations change that would differ from application, the City has the right to cancel winter averaging.
- The winter averaging does not automatically transfer to a new business or property owner of said facility.

WATER:	Utility	Split	Winter	Months of	Base Inc	Base by	If Yes,	Base	Base	Tier						
City	Deposit	Res/Comm	Average	Wntr Avg	Gal/CF	Size Line	Range	Residential	Comm	Rates	Tier I	Tier II	Tier III	Tier IV	Tier V	Notes
Junction City	\$100	No	No	n/a	200 CF	Yes	15.51-473.90	\$15.51	15.51-473.90	Yes	\$2.00	\$2.30				200-1,000cf=\$2.00/cf Over 1,000ct=\$2.30/cf
Abilene*	\$0	No	No	n/a	0	No	n/a	\$12.75	\$12.75	No	\$2.44					
Clay Center	\$50	Yes	No	n/a	100 cf	Yes	B+\$10 1"+	\$30.00	\$35.00	Yes	\$1.33 R	\$1.58C				Plus adder for meters greater than 1"
Derby*	\$0	Yes	No	n/a	250 cf	No	n/a	\$11.00	\$11.00	Yes	\$1.04	\$1.25	\$1.46	\$1.77	\$2.12	Comm pays \$.10/ unit more than residential
El Dorado	2m avg	No	No	n/a	0	Yes	\$6.90-1.656	\$6.90	\$6.90-1,656	Yes	\$1.22	\$1.11				
Gardner*	\$25	No	No	n/a	0	No	n/a	\$10.40	\$10.40	Yes	\$3.49	\$2.85				
Great Bend	\$70	No	No	n/a	0	Yes	\$8.00-12.12	\$8.00-\$8.85	Varies Size	No	\$1.90					Hospital/Schools/Nursing homes @ \$2.35
Hays	2m avg	No	Yes	J-F-M	100 cf	Yes	\$9.18-375.70	\$9.18-24.14	\$9.18-375.70	Yes	\$1.60	\$3.20				Useage within avg is Tier I - all else Tier II
Hutchinson	40-2.5m	No	No	n/a	0	Yes	\$9.07-95.21	\$9.07	\$9.07	Yes	\$2.36	\$2.12	\$1.92			
Manhattan	\$0	No	No	n/a	200 cf	No	n/a	\$8.03	\$8.03	Yes	\$2.48	\$1.77	\$1.46			
McPerson	2m avg			Water operated by BPU												
Newton	\$60	No	No	n/a	200 cf	No	n/a	\$12.75	\$12.75	No	\$5.95					
Pittsburg	\$75	No	No	n/a	200 cf	No	n/a	\$11.00	\$11.00	Yes	\$1.56	\$4.30	\$4.10	\$3.81	\$3.61	etc.
Salina	\$60	No	Yes	J-F-M	0	Yes	\$4.70-373.75	\$4.70	\$4.70	Yes	\$3.12	\$6.24				All in excess (over 800 cf) is charged Tier II rate/100 cf / over 3mil is Tier I
Topeka*	\$25	Yes	No	n/a	200 cf	No	n/a	\$15.00	\$15.00	Yes	\$2.69	\$2.18	\$1.98	\$1.69		SF=2.69 MF=2.18 Comm=1.98 Ind=1.69/100 cf
Wamego*	\$0	No	No	n/a	200 ct	No	n/a	\$12.50	\$12.50	Yes	\$1.20	\$0.98	\$0.90	\$0.75		
Wichita*	70-105	No	Yes	J-F-M	0	Yes	\$11.49-12.68	\$11.49	\$11.49-12.68	Yes	\$1.07	\$4.07	\$6.11			Min WA=6,000 g + Fire protection fee Comm=base+actual use+Fire
WASTEWATER:		Rates Differ	Winter	Months of	Base Inc	Base by	If Yes,	Base	Base	Tier	/100cf					
City		Res/Comm	Average	Wntr Avg	Gal/CF	Size Line	Range	Residential	Comm	Rates	Tier I	Tier II	Tier III	Tier IV	Tier V	Notes
Junction City		Yes	Yes	D-J	200 CF	No	n/a	\$25.50	\$25.50	No	\$1.90					Res= 3m avg Comm=actual use water ea m
Abilene*	-	No	Yes Res	D-J-F	No	No	n/a	\$11.40	\$11.40	No	\$3.56					Res=3mavg Comm=actual use water ea m
Clay Center	-	No	Yes Res	J-F-M	No	No	n/a	\$3.60	\$3.60		\$0.92					Rates \$4.60 per 500 cu ft or portion Res=3mavg C=use wtr ea m
Derby*	-	Yes	Yes Res	J-F-M	No	No	n/a	\$15.10	32.26-225.79	No	\$1.16					Res=3avg Comm=actual use water ea m
El Dorado	-	No	Yes All	D-J-F	No	No	n/a	\$6.50	\$6.50	No	\$2.32					Winter Average All
Gardner*	-	No	Yes All	J-F	No	No	n/a	\$10.70	\$10.70	No	\$5.14					All Acutal use for Jan and Feb
Great Bend*	-	No	Yes-All	n/a	No	No	n/a	\$6.55	\$6.55	No	\$2.63					Same for both res & comm
Hays	-	Yes	Yes Res	J-F-M	100 cf	Yes	4.59-\$187.85	\$4.59	\$4.59	No	\$1.80					Res=3m avg Comm=actual water use unless ww metered
Hutchinson	-	No	Yes-All	D-J-F-M	No	No	n/a	\$5.00	\$5.00	No	\$1.92					
Manhattan	-	No	No	n/a	200 cf	No	n/a	\$18.30	\$18.30	No	\$2.75					
McPerson	-	No	No	n/a	No	No	n/a	\$14.25	\$14.25	No	\$1.35					
Newton	-	Yes	Yes Res	J-F-M	300 cf	No	n/a	\$25.27	\$25.27	No	\$7.45					Res=3 m avg Comm=actual use of water ea m
Pittsburg	-	Yes	Yes	N-D-J	200 cf	No	n/a	\$19.20	\$19.20	No	\$2.50					Wntr Avg for all except over 10,000 ct/m and then acual use
Salina	-	No	Yes	J-F-M	0	No	n/a	\$6.73	\$6.73	No	\$3.64					
Topeka*	-	No	Yes	D-J-F	200 cf	No	n/a	\$14.85	\$14.85	No	\$2.90					
Wamego	-	Yes	No	n/a	200 cf Cm	No	n/a	\$22.50	\$12.00	No	\$2.08					Residential Flat Rate at \$22.50 Comm=base+acual use
Wichita*	-	No	No	n/a	0	Yes	5.13-14.81	\$5.13-7.11	\$5.13-229.83	No	\$1.85					

*Gallons converted to cubic feet

Backup material for agenda item:

- b. Consideration of Ordinance G-1109 regarding City code update of water code.
Finance Director Beatty Presenting (Final Reading).

Junction City Commission

Agenda Memo – March 6, 2012

From: Cheryl S. Beatty, Finance Director
To: Gerry Vernon, City Manager and City Commissioners
Subject: Ordinance No. 1109 – Water Code Update

Objective: Consideration and approval of Ordinance No. 1109 regarding city code updates of water and wastewater codes.

Explanation of Issue: Last year we did a comprehensive rewrite of the city utility codes knowing that we may find things we had forgotten to update or find code that may need to change. Section 1 adds a sentence to clarify that the city has the right *not* to connect to substandard private water lines. Section 2 is adding a section to clarify that a property owner is responsible for water use when no responsible party is listed on the account. Section 3 (B) is an increase in the amount of deposits being required. Delinquent accounts currently have 2.5 months of service on a bill before we turn them off and a current deposit will not cover the amount owed, which means we then have to proceed to collect thru a collection agency or write it off. Section 3 (C) is a rewrite to cap the amount of deposit at \$500.

Budget Impact: The deposit increase will result in an increase in revenue because it would lessen the amount of bad debt.

Alternatives: It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may approve, disapprove, modify, or table the request.

Recommendation: Staff recommends the approval of Ordinance No. 1109.

Special Considerations: We had two complaints in the last year with businesses paying high water bills in the summer for taking care of landscaping, which in turn made their wastewater bills high for using water that did not go into the wastewater system.

Suggested Motion:

Commissioner _____ moves to approve Ordinance No. 1109 on final reading.

Commissioner _____ seconded the motion.

Enclosures: Ordinance No. 1109
Chart I – Other City Comparison

WATER:	Utility	Split	Winter	Months of	Base Inc	Base by	If Yes,	Base	Base	Tier						
City	Deposit	Res/Comm	Average	Wntr Avg	Gal/CF	Size Line	Range	Residential	Comm	Rates	Tier I	Tier II	Tier III	Tier IV	Tier V	Notes
Junction City	\$100	No	No	n/a	200 CF	Yes	15.51-473.90	\$15.51	15.51-473.90	Yes	\$2.00	\$2.30				200-1,000cf=\$2.00/cf Over 1,000ct=\$2.30/cf
Abilene*	\$0	No	No	n/a	0	No	n/a	\$12.75	\$12.75	No	\$2.44					
Clay Center	\$50	Yes	No	n/a	100 cf	Yes	B+\$10 1"+	\$30.00	\$35.00	Yes	\$1.33 R	\$1.58C				Plus adder for meters greater than 1"
Derby*	\$0	Yes	No	n/a	250 cf	No	n/a	\$11.00	\$11.00	Yes	\$1.04	\$1.25	\$1.46	\$1.77	\$2.12	Comm pays \$.10/ unit more than residential
El Dorado	2m avg	No	No	n/a	0	Yes	\$6.90-1.656	\$6.90	\$6.90-1,656	Yes	\$1.22	\$1.11				
Gardner*	\$25	No	No	n/a	0	No	n/a	\$10.40	\$10.40	Yes	\$3.49	\$2.85				
Great Bend	\$70	No	No	n/a	0	Yes	\$8.00-12.12	\$8.00-\$8.85	Varies Size	No	\$1.90					Hospital/Schools/Nursing homes @ \$2.35
Hays	2m avg	No	Yes	J-F-M	100 cf	Yes	\$9.18-375.70	\$9.18-24.14	\$9.18-375.70	Yes	\$1.60	\$3.20				Useage within avg is Tier I - all else Tier II
Hutchinson	40-2.5m	No	No	n/a	0	Yes	\$9.07-95.21	\$9.07	\$9.07	Yes	\$2.36	\$2.12	\$1.92			
Manhattan	\$0	No	No	n/a	200 cf	No	n/a	\$8.03	\$8.03	Yes	\$2.48	\$1.77	\$1.46			
McPerson	2m avg			Water operated by BPU												
Newton	\$60	No	No	n/a	200 cf	No	n/a	\$12.75	\$12.75	No	\$5.95					
Pittsburg	\$75	No	No	n/a	200 cf	No	n/a	\$11.00	\$11.00	Yes	\$1.56	\$4.30	\$4.10	\$3.81	\$3.61	etc.
Salina	\$60	No	Yes	J-F-M	0	Yes	\$4.70-373.75	\$4.70	\$4.70	Yes	\$3.12	\$6.24				All in excess (over 800 cf) is charged Tier II rate/100 cf / over 3mil is Tier I
Topeka*	\$25	Yes	No	n/a	200 cf	No	n/a	\$15.00	\$15.00	Yes	\$2.69	\$2.18	\$1.98	\$1.69		SF=2.69 MF=2.18 Comm=1.98 Ind=1.69/100 cf
Wamego*	\$0	No	No	n/a	200 ct	No	n/a	\$12.50	\$12.50	Yes	\$1.20	\$0.98	\$0.90	\$0.75		
Wichita*	70-105	No	Yes	J-F-M	0	Yes	\$11.49-12.68	\$11.49	\$11.49-12.68	Yes	\$1.07	\$4.07	\$6.11			Min WA=6,000 g + Fire protection fee Comm=base+actual use+Fire
WASTEWATER:		Rates Differ	Winter	Months of	Base Inc	Base by	If Yes,	Base	Base	Tier	/100cf					
City		Res/Comm	Average	Wntr Avg	Gal/CF	Size Line	Range	Residential	Comm	Rates	Tier I	Tier II	Tier III	Tier IV	Tier V	Notes
Junction City		Yes	Yes	D-J	200 CF	No	n/a	\$25.50	\$25.50	No	\$1.90					Res= 3m avg Comm=actual use water ea m
Abilene*	-	No	Yes Res	D-J-F	No	No	n/a	\$11.40	\$11.40	No	\$3.56					Res=3mavg Comm=actual use water ea m
Clay Center	-	No	Yes Res	J-F-M	No	No	n/a	\$3.60	\$3.60		\$0.92					Rates \$4.60 per 500 cu ft or portion Res=3mavg C=use wtr ea m
Derby*	-	Yes	Yes Res	J-F-M	No	No	n/a	\$15.10	32.26-225.79	No	\$1.16					Res=3avg Comm=actual use water ea m
El Dorado	-	No	Yes All	D-J-F	No	No	n/a	\$6.50	\$6.50	No	\$2.32					Winter Average All
Gardner*	-	No	Yes All	J-F	No	No	n/a	\$10.70	\$10.70	No	\$5.14					All Acutal use for Jan and Feb
Great Bend*	-	No	Yes-All	n/a	No	No	n/a	\$6.55	\$6.55	No	\$2.63					Same for both res & comm
Hays	-	Yes	Yes Res	J-F-M	100 cf	Yes	4.59-\$187.85	\$4.59	\$4.59	No	\$1.80					Res=3m avg Comm=actual water use unless ww metered
Hutchinson	-	No	Yes-All	D-J-F-M	No	No	n/a	\$5.00	\$5.00	No	\$1.92					
Manhattan	-	No	No	n/a	200 cf	No	n/a	\$18.30	\$18.30	No	\$2.75					
McPerson	-	No	No	n/a	No	No	n/a	\$14.25	\$14.25	No	\$1.35					
Newton	-	Yes	Yes Res	J-F-M	300 cf	No	n/a	\$25.27	\$25.27	No	\$7.45					Res=3 m avg Comm=actual use of water ea m
Pittsburg	-	Yes	Yes	N-D-J	200 cf	No	n/a	\$19.20	\$19.20	No	\$2.50					Wntr Avg for all except over 10,000 ct/m and then acual use
Salina	-	No	Yes	J-F-M	0	No	n/a	\$6.73	\$6.73	No	\$3.64					
Topeka*	-	No	Yes	D-J-F	200 cf	No	n/a	\$14.85	\$14.85	No	\$2.90					
Wamego	-	Yes	No	n/a	200 cf Cm	No	n/a	\$22.50	\$12.00	No	\$2.08					Residential Flat Rate at \$22.50 Comm=base+acual use
Wichita*	-	No	No	n/a	0	Yes	5.13-14.81	\$5.13-7.11	\$5.13-229.83	No	\$1.85					

*Gallons converted to cubic feet

Backup material for agenda item:

- c. Consideration of Ordinance S-3104 rezoning of property at the southeast corner of Washington and Chestnut from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District. Planning & Zoning Director Yearout presenting (Final Reading).

City of Junction City

City Commission

Agenda Memo

March 6, 2012

From: David L. Yearout, AICP, Director of Planning and Zoning

To: City Commission & Gerry Vernon, City Manager

Subject: Case No. Z-01-01-12 – Rezoning of property at the southeast corner of Washington and Chestnut from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District – (S-3104)

Issue: Consideration of request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District the property located at the southeast corner of Washington Street and Chestnut Street, Junction City, Geary County, Kansas. This property is now completely vacant, with the last structures razed in 2011. The land is being marketed as commercial property and this rezoning will unify the zoning classification to enable that to occur in a more appropriate manner. The property is also being replatted, with the vacation of Walnut Street between Washington Street and Chestnut Street. That plat will be presented for consideration in the near future. This was approved unanimously by the City Commission on first reading.

Explanation of Issue: The Metropolitan Planning Commission held a public hearing on January 19, 2012, to consider this request. By unanimous vote, the MPC has recommended the rezoning be granted.

Alternatives: In accordance with K.S.A. 12-757, the City Commission has the following alternatives for a rezoning application on first appearance:

1. To accept the recommendation of the MPC and approve the Ordinance, thereby rezoning the property.
2. Modify the recommendation of the Planning Commission by a 2/3 majority vote and approve the Ordinance as so modified, thereby rezoning the property subject to said changes.
3. Return the recommendation to the Planning Commission for further consideration, specifying the items, concerns or issues with said recommendation.
4. Disapprove the recommendation of the Planning Commission by a 2/3 majority vote and not rezone the property.

Special Considerations: There were no public comments at the public hearing either for or against this request.

Staff Recommendation: Accept the recommendation of the MPC and approve the Ordinance rezoning the property.

Suggested Motion:

Commissioner _____ moved that the recommendation of the Planning Commission be accepted and that Ordinance No. S-3104, an ordinance rezoning property located at the southeast corner of Washington Street and Chestnut Street from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District be approved on final reading.

Commissioner _____ seconded the motion.

Enclosures:

MPC Minutes of January 19, 2012
Staff Report
Ordinance S-3104

ORDINANCE NO. S-3104

AN ORDINANCE RELATING TO REZONING CERTAIN PROPERTY FROM THE SERVICE COMMERCIAL RESTRICTED DISTRICT (CSR), THE MOBILE HOME PARK DISTRICT (MH) AND THE CENTRAL COMMERCIAL SPECIAL DISTRICT (CCS) TO THE GENERAL COMMERCIAL DISTRICT (CG), ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

WHEREAS, application has been made by the Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone certain property within the City of Junction City, Kansas; and,

WHEREAS, proper notice has been given by publication of legal notice and by mailed notice to surrounding property owner in conformance with K.S.A. 12-757; and,

WHEREAS, the Junction City/Geary County Metropolitan Planning Commission held a public hearing on the application on January 19, 2012, and, by a majority vote of members present, recommended the property in question be rezoned;

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. That the property located at south of Chestnut Street and east of Washington Street within the City of Junction City, Geary County, Kansas, and described as follows:

DESCRIPTION:

All of Blocks 4 and 5 of Schnell's Addition to the City of Junction City, Kansas.

be, and the same is, hereby ordered rezoned from its present classification of Service Commercial Restricted District (CSR), Mobile Home Park District (MH) and Central Commercial Special District (CCS) to General Commercial District (CG) as provided in K.S.A. 12-757.

Section 2. The Zoning Administrator of the City of Junction City, Kansas is hereby ordered and directed to cause said designation to be made on the Official Zoning Map of said City in his custody and to show the property herein described to be zoned as General Commercial (CG).

Section 3. This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2012.

PAT LANDES, MAYOR

ATTEST:

TYLER FICKEN, CITY CLERK

JUNCTION CITY/GEARY COUNTY, KANSAS METROPOLITAN PLANNING COMMISSION BOARD OF ZONING APPEALS

MINUTES

**January 19, 2012
7:00 P.M.**

Members (Present)

Brandon Dibben
Maureen Gustafson
Ken Mortensen
John Moyer
Mike Ryan

Members (Absent)

Mike Steinfort
Mike Watson

Staff

David Yearout
Shari Lenhart

1. CALL TO ORDER AND ROLL CALL

Vice-Chair Gustafson called the meeting to order at 7:00 p.m. and noted a quorum present with Commissioners Steinfort and Watson absent.

2. APPROVAL OF MINUTES

Commissioner Mortensen moved to approve the minutes of the December 8, 2011, meeting as written. Commissioner Dibben seconded the motion and it passed unanimously.

3. OLD BUSINESS - None

Item No. 1 – Case No. Z-08-01-11 – Public hearing to rezone a portion of the property at 11606 South Highway K-57, Junction City, Kansas.

Vice-Chair Gustafson called the hearing to order on the application of Chad Ziegler, owner, requesting to rezone from “A” Agricultural District to “CG” General Commercial District, a portion of the property at 11606 South Highway K-57, Junction City, Geary County, Kansas.

Mr. Yearout noted this case was being continued from November, 2011, which is the last time the case was discussed. The intent at that time was to publish for consideration of a Conditional Use Permit for the January meeting. However, since the new County Zoning Regulations were not adopted until January 7, 2012, staff is recommending the Metropolitan Planning Commission take formal action to dismiss the original application for the rezoning and authorize the reconsideration of the request as a Conditional Use Permit under the new Zoning Regulations. Because of the later date for this meeting, the public hearing can not be held until the March meeting.

Commissioner Mortensen moved to dismiss Case No. Z-08-11, the application of Chad Ziegler, owner, requesting to rezone from “A” Agricultural District to “CG” General Commercial District, a portion of the property at 11606 South Highway K-57, Junction City, and authorize

setting a public hearing for the March, 2012, meeting as a Conditional Use. Commissioner Moyer seconded the motion and it passed unanimously.

Item No. 2 – Case No. SUP-11-01-11 - Public hearing for a Special Use Permit to install a parking lot at J-Hill Road and Smokey Lane, Geary County, Kansas.

Vice-Chair Gustafson called the hearing to order on the above case and called for comments from staff.

Mr. Yearout stated the applicant had originally requested this matter be continued to February, 2012. No new information has been received; however staff has heard there are discussions on-going concerning the extent to which improvements would need to be made and how much that would cost. The City of Grandview Plaza has also been involved in some discussions, but there has been no indication any agreements have been reached. Staff is recommending the case be continued until the February, 2012, meeting, but that a decision between the parties will be needed by that time. Staff stated a letter would be written to both parties indicating a decision will be required at the February meeting or the matter will be forwarded with a recommendation of denial.

Commissioner Moyer moved that Case No. SUP-11-01-11, the application of Carl Corey, agent for Harold Glessner, owner, requesting a Special Use Permit on property zoned “A” Agricultural to install a parking lot near the southwest corner of the intersection of Smokey Lane and J-Hill Road, Junction City, Kansas, be continued to the February meeting. Commissioner Ryan seconded the motion and it carried unanimously.

4. NEW BUSINESS

Item No. 1 – Case No. Z-01-01-12 – Public hearing to rezone property bounded on the North by Chestnut Street, on the South by Spruce Street, on the East by Franklin Street and on the West by Washington Street.

Vice-Chair Gustafson called the public hearing to order on the application of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District, the two blocks located at the south of Chestnut Street between Washington Street and Franklin Street.

Mr. Yearout reviewed the staff report indicating this property has been a mixture of commercial, residential and mobile homes uses over the years. That is why the existing zoning pattern is the way it is. The bulk of the property has been vacant for the past several years, with the remaining structures along Chestnut Street being razed in 2011. As of the time of this application all of the property within the two blocks is vacant and under single ownership. The intent of this rezoning is to place the entire property into a single zoning classification that provides enough flexibility to encourage the redevelopment of the land.

Mr. Yearout stated that a replat of these two blocks will be considered later in this meeting. That replat will place all the property into a single lot and also proposes to vacate Walnut Street between Washington Street and Franklin Street.

Mr. Yearout noted staff is recommending approval of this rezoning because it places the property in one commercial classification; staff believes it complies with the spirit and intent of the Zoning Regulations, and is in the best interest of the community.

Vice-Chair Gustafson opened the hearing for public comment.

Leon Osbourn, Kaw Valley Engineering, representing the property owner, stated the property is now owned by Kansas State Bank. In discussing the conditions on the property with staff it was felt the rezoning and replatting would be the best method to resolve all the other challenges on the property. He stated he concurred with staff comments and would be glad to answer any questions.

There being no further questions or appearances, Vice-Chair Gustafson closed the public hearing and called for a motion.

Mr. Yearout stated that Gary Junghans had sent an e-mail asking what the case was about. Mr. Yearout indicated he sent a reply to Mr. Junghans explaining the substance of the request and received a "thank you" with no additional questions or comments.

Commissioner Ryan moved that Case No. Z-01-01-12, the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from "CSR" Service Commercial Restricted District, "MH" Mobile Home Park District, and "CCS" Central Commercial Special District to "CG" General Commercial District, the property located between Chestnut Street on the north and Spruce Street on the south, and between Washington Street on the west and Franklin Street on the east, all in Junction City, Kansas, be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at this public hearing. Commissioner Dibben seconded the motion and it carried unanimously.

Mr. Yearout stated that this case is scheduled for consideration by the City Commission at the regularly scheduled February 21st meeting, which is the first meeting following the completion of the protest period.

Item No. 2 – Case No. Z-01-02-12 – Public hearing to rezone residential properties located on the south side of West 7th Street between Adams Street and Garfield Street.

Vice-Chair Gustafson called the public hearing to order on the application initiated by the City Commission of Junction City, Kansas, to rezone from "CSP" Special Commercial District to "RM" Multiple Family Residential District, the properties used residentially on the south side of West 7th Street between Adams Street and Garfield Street, Junction City, Kansas.

Mr. Yearout reviewed the staff report and noted the intent of this action is to place the non-commercial properties on the south side of 7th Street into a zoning category that permits the existing uses; thereby removing the "grandfathered" condition from the properties. Changes in lending laws in the past few years have made financing for single-family homes that are in commercial zones virtually impossible. The reason is because, in the event the residential structure is destroyed beyond 50% of its value, the City has no authority to issue a building permit to restore or rebuild the home. The City has processed at least three rezonings in the past year to rectify this situation so a home sale could be completed. This rezoning is intended to remove this same potential hurdle for the single-family homes along 7th Street.

Mr. Yearout stated that this rezoning will have no effect on the property taxes and there are no plans by the City to raze single-family homes and build apartments. The proposed rezoning to "RM" (Multiple Family) matches the "RM" zoning on the north side of 7th Street. The City is not forcing this change on anyone. If a property owner wishes to retain the designated commercial zone, they may do so but we will need to identify that parcel. To date, no-one has

made such a request. For these reasons and those stated in the staff report, staff is recommending approval of this case to the City Commission.

In response to a question from Commissioner Mortensen, Mr. Yearout stated the residential properties will be zoned "RM" Multiple Family Residential, the same as on the North side of 7th Street; and the "RM" designation does permit churches.

There being no other questions of staff, Vice-Chair Gustafson opened the hearing for public comment.

Scott Dye, 305 West 7th, stated when he applied for a loan for this property he is buying he was denied because of the commercial zoning on the property. The current owners of the property have moved to Alabama with the understanding there would be no problem with the financing. However, the current zoning of this property has brought the processing of the loan to a halt. Until the property is rezoned to residential, the lending institution will not approve the loan application.

Vice-Chair Gustafson asked if there was anyone else present wishing to be heard. There were no additional questions or comments. Vice-Chair Gustafson closed the public hearing.

Commissioner Mortensen questioned whether consideration should be given on a parcel-by-parcel or block-by-block basis. Mr. Yearout indicated this could be addressed in a single motion.

Commissioner Dibben asked when this area was given the commercial zoning; and if the current property owners were asked what they wanted. Mr. Yearout stated he was unsure when this area was designated for commercial development but the 1975 zoning map shows all this area as commercial.

Commissioner Moyer moved that Case No. Z-01-02-12, concerning the request initiated by the City Commission to consider the rezoning of the residentially used properties on the south side of 7th Street from Adams Street to Garfield Street be rezoned from "CSP" Special Commercial District to "RM" Multiple Family Residential District be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at this public hearing. Commissioner Ryan seconded the motion and it passed unanimously.

Mr. Yearout stated this case would be presented to the City Commission at their regularly scheduled February 21st meeting.

Item No. 3 – Case No. FP-01-01-12 – Final Plat for Quarry Oaks Addition Unit No. 1 to the City of Junction City, Kansas.

Vice-Chair Gustafson called the hearing to order on the request of Kaw Valley Engineering, agent, on behalf of RMD Investments, LLC, owner, requesting final plat approval for Quarry Oaks Addition Unit No. 1, being located on the east side of Spring Valley Road and north of Indian Ridge 6 Addition.

Mr. Yearout gave a brief overview of the staff report, stating that this final plat is in conformance with the approved preliminary plat and no alterations or changes were made. The developer proposes to privately pay for the extension of the public streets and utilities. In accordance with the Subdivision Regulations, a development agreement will be prepared. The final plat will not be presented to the City Commission until the agreement has been approved by

the City Attorney and other City officials. Staff is recommending approval of the Quarry Oaks Addition Unit No. 1, subject to execution of the development agreement.

Leon Osbourn, Kaw Valley Engineering, representing the developer, stated he had no other comments to add to the staff report and was present to answer any questions the Commission might have.

There was some general discussion between the Commissioners, staff and Mr. Osbourn regarding the facing of the home on Lots 1 and 8; why Lots 12 and 13 show two utility easements; and why there was only a 25-foot easement along Spring Valley Road. Mr. Osbourn explained all the reasons behind why those items are shown on the plat that way; which primarily is to comply with the Subdivision Regulations or requirements of the City for utility purposes.

There were no other appearances or public comment.

Commissioner Mortensen moved that Case No. FP-01-01-12, the application of Kaw Valley Engineering, agent, on behalf of RMD Investments, LLC, owner, requesting final plat approval of Quarry Oaks Addition, Unit No. 1, located on the east side of Spring Valley Road and north of Ponca Drive, be approved and the Chairman and Secretary be authorized to sign the plat; and the plat be forwarded to the City Commission of Junction City for final approval and acceptance upon completion of the development agreement addressing the public improvements within the plat. Commissioner Moyer seconded the motion and it passed unanimously.

Mr. Yearout stated that this case would be presented to the City Commission once the developer's agreement is accepted by the City Attorney and other interested City officials.

Item No. 4 – Case No. FP-01-02-12 – Chestington Addition, a Replat of Blocks 4 & 5 Schnell's Addition, to the City of Junction City, Kansas.

Vice-Chair Gustafson called the public hearing to order on the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, requesting final plat approval for the Chestington Addition, a replat of Blocks 4 & 5 Schnell's Addition, bounded on the North by Chestnut Street, on the South by Spruce Street, on the East by Franklin Street and on the West by Washington Street.

Mr. Yearout stated this is the same area considered in rezoning Case No. Z-01-01-12. The intent of this replat is to create a single lot and to vacate Walnut Street between Washington and Franklin Streets. The alleys will be vacated but retained as utility easements because the sanitary sewer mains of the City are in these alleys. Discussion with other utility representatives indicated there are no other utilities in the alleys and the only utilities in the Walnut Street right-of-way are some older electric lines that will be removed. Mr. Yearout stated another concern was the impact vacation of Walnut Street would have on storm drainage for the area. Engineering analysis shows that by connecting the curb line across Walnut Street on the east side of Washington Street, storm water will flow to the north or south since this is a "high point" at this location.

Another concern is that staff believes it is in the best interest of the City to require access control at the intersection of Washington Street and Chestnut Street. Staff is recommending a minimum of 100 feet of access control at that intersection.

Mr. Yearout stated staff believes this replat is in the best interest of the community and that adequate safeguards are in place to provide protections to the surrounding properties from

any use that may come forward. This replat, along with the rezoning of the property, should enhance the redevelopment potential of the site. A separate development agreement will be prepared that will address all the necessary issues associated with the replat until redevelopment occurs.

Mr. Yearout stated staff recommends this request be recommended for approval, subject to the final plat document showing the access controls identified along Washington Street and Chestnut Street, and the completion of the development agreement addressing the issues identified by staff and at this meeting.

Leon Osbourn, Kaw Valley Engineering, representing the property owner, indicated this replat will make this property more marketable for commercial development. Any costs associated with relocation of the existing Walnut Street storm sewer or the "alley" easements will be absorbed by the developer. As pointed out by staff, a developer's agreement can be drafted to safeguard the City against incurring an undue financial burden.

General discussion ensued between the Commissioners, staff and Leon Osbourn regarding when Walnut Street would be closed and safety issues involved, KDOT requirements regarding curb-cuts along Washington Street, distance from the Washington/Chestnut intersection for ingress/egress curb-cuts, storm water drainage, and contents of a developer's agreement. Answers were provided regarding all subjects to the satisfaction of the Commission.

There being no further questions or comments from staff or the public, Vice-Chair Gustafson called for a motion.

Commissioner Mortensen moved that Case No. FP-01-02-12, concerning the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to replat the two blocks located south of Chestnut Street and east of Washington Street, Junction City, Kansas, be recommended for approval, subject to the final plat document showing the access controls identified by staff, and the completion of the development agreement addressing the issues identified by staff and at this meeting. Commissioner Moyer seconded the motion and it passed unanimously.

Mr. Yearout stated that this case would be presented to the City Commission once the final plat is received and the developer's agreement is accepted by the City Attorney and other interested City officials.

RECESS AS METROPOLITAN PLANNING COMMISSION AND CONVENE AS BOARD OF ZONING APPEALS

Vice-Chair Gustafson declared the Metropolitan Planning Commission as being in recess and convene as the Board of Zoning Appeals.

- 5. OLD BUSINESS - None**
- 6. NEW BUSINESS**

Item No. 1 – Case No. BZACU-01-01-12 – Public hearing for a Conditional Use Permit to convert a portion of a commercial building to apartments in the "CC" Central Commercial District.

Vice-Chair Gustafson called the public hearing to order on the application of Russell Schmidt, owner, requesting a Conditional Use Permit, to convert a portion of a commercial building to apartments in a building in the "CC" Central Commercial District, located at 813 North Jefferson, Junction City, Kansas.

Mr. Yearout gave a brief overview of the detailed information set out in the staff report regarding the property history and the Zoning Regulation guidelines for the Board to approve a conditional use permit. Mr. Yearout noted ownership and uses have changed several times over the intervening years and the building has been vacant for several years. The applicant, Mr. Schmidt, believes converting a portion of the building for residential use will allow the building to be used, since there is a high demand for residential properties. The applicant has been working with the Code Enforcement Department regarding building code requirements to have a residential use and a commercial use share the same building.

Mr. Yearout stated a letter was received from Janice Howard, owner/operator of Vacuum Center - Service Master at 817 North Jefferson, listing concerns about parking, noise and construction of a firewall between the proposed apartments and their building. No other correspondence or concerns were received.

Mr. Yearout stated that staff is recommending approval of this application because it meets the spirit and intent of the Zoning Regulations and the building has remained unused for commercial purposes.

There being no immediate questions of staff, Vice-Chair opened the hearing for public comment.

Mr. Russell Schmidt, applicant, indicated he had visited with the owners of the vacuum business and they do not have any problems. They have agreed to allow vehicle parking in their business parking lot. Mr. Schmidt stated that construction of the apartments is meeting all code requirements for a building with mixed uses. This does involve installation of a 2-hour firewall.

In response to questions from Commissioners, Mr. Schmidt stated just the front portion of the building will be the apartments; the back will remain as a warehouse. They are to be two-bedroom apartments each approximately 700 square feet in size.

There being no further appearances or public comment, Vice-Chair Gustafson closed the public hearing.

There was some general discussion between the Commissioners and staff regarding the parking, possibility of additional units in the future, and clarification that a Conditional Use goes with the property.

Commissioner Mortensen moved that Case No BZACU-01-01-12, the application of Russell Schmidt, owner, requesting a Conditional Use Permit to convert a portion of a commercial building to apartments in the "CC" Central Commercial District, located at 813 North Jefferson, Junction City, Kansas, be approved subject to compliance with the requirements of the Building Code. Commissioner Ryan seconded the motion and it passed unanimously.

ADJOURN AS BOARD OF ZONING APPEALS AND RECONVENE AS METROPOLITAN PLANNING COMMISSION

Vice-Chair Gustafson declared the Board of Zoning Appeals meeting adjourned and reconvened the Metropolitan Planning Commission.

7. GENERAL DISCUSSION

Mr. Yearout informed the Commission about a complaint received regarding the parking of a large motor home in a driveway. Technically, the Zoning Regulations have prohibited the storage/parking of such vehicles in any required front yard. There are guidelines that would allow them; provided, they are no more than one ton, on a concrete pad and meet any applicable side/rear yard setbacks. This should have been enforced since 1986. It appears no enforcement has been done. Discussion is occurring by staff regarding whether to start enforcement or amend the regulations.

Commissioner Ryan stated he remembers what happened when an ordinance was adopted relative to keeping trees timed on private property and the City ended up spending tons of money to have public right-of-way trees trimmed to meet the ordinance requirements. He advised to think through the full impact of any requirements within the regulations.

8. ADJOURNMENT

There being no further business, Commissioner Mortensen moved the meeting be adjourned. Commissioner Ryan seconded the motion and it carried unanimously. Vice-Chair Gustafson declared the meeting adjourned at 8:15 p.m.

PASSED AND APPROVED this _____ day of March, 2012.

Mike Steinfert, Chairman

ATTEST:

David L. Yearout, Secretary



**JUNCTION CITY/GEARY COUNTY
METROPOLITAN PLANNING COMMISSION
BOARD OF ZONING APPEALS**



STAFF REPORT

January 17, 2012

TO: Metropolitan Planning Commission / Board of Zoning Appeals

FM: David L. Yearout, AICP, CFM, Director of Planning and Zoning

SUBJECT: Z-01-01-12 – Request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District, property located at the southeast corner of Chestnut Street and Washington Street, Junction City, Kansas.

This is the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District, property located at the southeast corner of Chestnut Street and Washington Street, Junction City, Kansas. This property has been mostly vacant for a number of years and the remaining structures along Chestnut Street were razed in 2011. Presently, there are no structures on any of the properties and all the land is in common ownership.

The intent of this rezoning is to provide continuity to the zoning classification on the property, with the hope that will aide in the ultimate marketing and redevelopment of the land. This was originally platted as the Schnell’s Addition to Junction City, which was originally recorded in 1870. The uses over the years have been a mixture of commercial, residential and mobile homes.

In a separate action, a replatting is being proposed of these two blocks in order to clear the legal descriptions of the lots into a single tract and to vacate Walnut Street between Washington Street and Franklin Street.

Staff believes this rezoning will work in the best interests of the community by allowing the property to be redeveloped into a commercial facility that is able to be designed to meet the needs of a new commercial facility at this location. The proposed replatting will also accommodate the ultimate redevelopment of the area. Adequate safeguards are in place to provide protections to the surrounding properties from any use that may come forward. These two actions should result in an enhanced site for continued commercial development within the City.

Staff Recommendation: Staff recommends the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District, property located at the southeast corner of Chestnut Street and Washington Street, Junction City, Kansas, be recommended for approval.

Suggested Motion:

I move that Case No. Z-01-01-12, concerning the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District, property located at the southeast corner of Chestnut Street and Washington Street, Junction City, Kansas, be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at this public hearing.

Backup material for agenda item:

- d. Consideration of Ordinance S-3105 rezoning of numerous properties on the south side of 7th Street Adams Street and Garfield Street from “CSP” Special Commercial District to “RM” Multiple Family Residential District. Planning & Zoning Director Yearout presenting (Final Reading).

City of Junction City

City Commission

Agenda Memo

March 6, 2012

From: David L. Yearout, AICP, Director of Planning and Zoning

To: City Commission & Gerry Vernon, City Manager

Subject: Case No. Z-01-02-12 – Rezoning of numerous properties on the south side of 7th Street Adams Street and Garfield Street from “CSP” Special Commercial District to “RM” Multiple Family Residential District – (S-3105)

Issue: Consideration of request initiated by the City Commission to rezone the non-commercial properties on the south side of 7th Street between Adams Street and Garfield Street in Junction City, Kansas, from “CSP” Special Commercial District to “RM” Multiple Family Residential District. There are 34 individual properties affected by this rezoning, with a mixture of existing uses including single-family residences, multiple-family structures, churches and vacant lots. Those properties that are used commercially are not affected by this rezoning. As has been noted on several occasions recently, residential properties that are zoned commercial have difficulty in being sold because the residences are nonconforming under the Zoning Regulations and, in the event of the loss of the structure, can not be rebuilt as a residence. This rezoning removes that restriction and makes the zoning classification the same as the residential properties on the north side of 7th Street. This item was passed unanimously by the City Commission on first reading.

Explanation of Issue: The Metropolitan Planning Commission held a public hearing on January 19, 2012, to consider this request. By unanimous vote, the MPC has recommended the rezoning be granted.

Alternatives: In accordance with K.S.A. 12-757, the City Commission has the following alternatives for a rezoning application on first appearance:

1. To accept the recommendation of the MPC and approve the Ordinance, thereby rezoning the property.
2. Modify the recommendation of the Planning Commission by a 2/3 majority vote and approve the Ordinance as so modified, thereby rezoning the property subject to said changes.
3. Return the recommendation to the Planning Commission for further consideration, specifying the items, concerns or issues with said recommendation.
4. Disapprove the recommendation of the Planning Commission by a 2/3 majority vote and not rezone the property.

Special Considerations: Several affected property owners were at the public hearing, but no one spoke in opposition to the proposed change. One contract buyer spoke in favor of this action.

Staff Recommendation: Accept the recommendation of the MPC and approve the Ordinance rezoning the properties.

Suggested Motion:

Commissioner _____ moved that the recommendation of the Planning Commission be accepted and that Ordinance No. S-3105, an ordinance rezoning from “CSP” Special Commercial District to “RM” Multiple Family Residential District numerous properties located on the south side of 7th Street between Adams Street and Garfield Street, Junction City, Kansas, as identified in said ordinance, be approved on final reading.

Commissioner _____ seconded the motion.

Enclosures:

MPC Minutes of January 19, 2012
Staff Report
Ordinance S-3105

ORDINANCE NO. S-3105

AN ORDINANCE RELATING TO REZONING CERTAIN PROPERTIES FROM THE SPECIAL COMMERCIAL DISTRICT (CSP) TO THE MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM), ALL WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS.

WHEREAS, application was initiated by the City Commission of the City of Junction City, Kansas, to rezone certain properties within the City of Junction City, Kansas; and,

WHEREAS, proper notice has been given by publication of legal notice and by mailed notice to surrounding property owner in conformance with K.S.A. 12-757; and,

WHEREAS, the Junction City/Geary County Metropolitan Planning Commission held a public hearing on the application on January 19, 2012, and, by a majority vote of members present, recommended the property in question be rezoned;

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. That the properties used residentially that are located on the south side of 7th Street between Adams Street and Garfield Street within the City of Junction City, Geary County, Kansas, and described as follows:

DESCRIPTION:

In Block 30, Plat of Junction City, Kansas: All of lots 1, 2, 3, 4, 7, 8, 9 and 10.

In Block 31, Plat of Junction City, Kansas: All of lots 1, 2 and 8.

In Block 32, Plat of Junction City, Kansas: All of lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

In the 1941 Replat of Portions of Tracts 13, 14 and 15 of McKinley Addition lying between 6th, 7th, Clay and Calhoun Street in Junction City, Kansas: All of lots 1, 2, 3, 4, 5, and 6; and the north 75.5 feet of lots 7 and 8.

In P. H. Gfeller's Replat of a portion of Tract No. 13 of McKinley Addition in Junction City, Kansas: All of lots 1, 2, 3, 4, 5, 6, 7, 8 and 9.

be, and the same is, hereby ordered rezoned from its present classification of Special Commercial District (CSP) to Multiple Family Residential District (RM) as provided in K.S.A. 12-757.

Section 2. The Zoning Administrator of the City of Junction City, Kansas is hereby ordered and directed to cause said designation to be made on the Official Zoning Map of said City in his custody and to show the property herein described to be zoned as Multiple Family Residential (RM).

Ordinance No. S-3105

Section 3. This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2012.

PAT LANDES, MAYOR

ATTEST:

TYLER FICKEN, CITY CLERK

**JUNCTION CITY/GEARY COUNTY, KANSAS
METROPOLITAN PLANNING COMMISSION
BOARD OF ZONING APPEALS**

MINUTES

**January 19, 2012
7:00 P.M.**

**Members
(Present)**

Brandon Dibben
Maureen Gustafson
Ken Mortensen
John Moyer
Mike Ryan

**Members
(Absent)**

Mike Steinfort
Mike Watson

Staff

David Yearout
Shari Lenhart

1. CALL TO ORDER AND ROLL CALL

Vice-Chair Gustafson called the meeting to order at 7:00 p.m. and noted a quorum present with Commissioners Steinfort and Watson absent.

2. APPROVAL OF MINUTES

Commissioner Mortensen moved to approve the minutes of the December 8, 2011, meeting as written. Commissioner Dibben seconded the motion and it passed unanimously.

3. OLD BUSINESS - None

Item No. 1 – Case No. Z-08-01-11 – Public hearing to rezone a portion of the property at 11606 South Highway K-57, Junction City, Kansas.

Vice-Chair Gustafson called the hearing to order on the application of Chad Ziegler, owner, requesting to rezone from “A” Agricultural District to “CG” General Commercial District, a portion of the property at 11606 South Highway K-57, Junction City, Geary County, Kansas.

Mr. Yearout noted this case was being continued from November, 2011, which is the last time the case was discussed. The intent at that time was to publish for consideration of a Conditional Use Permit for the January meeting. However, since the new County Zoning Regulations were not adopted until January 7, 2012, staff is recommending the Metropolitan Planning Commission take formal action to dismiss the original application for the rezoning and authorize the reconsideration of the request as a Conditional Use Permit under the new Zoning Regulations. Because of the later date for this meeting, the public hearing can not be held until the March meeting.

Commissioner Mortensen moved to dismiss Case No. Z-08-11, the application of Chad Ziegler, owner, requesting to rezone from “A” Agricultural District to “CG” General Commercial District, a portion of the property at 11606 South Highway K-57, Junction City, and authorize

setting a public hearing for the March, 2012, meeting as a Conditional Use. Commissioner Moyer seconded the motion and it passed unanimously.

Item No. 2 – Case No. SUP-11-01-11 - Public hearing for a Special Use Permit to install a parking lot at J-Hill Road and Smokey Lane, Geary County, Kansas.

Vice-Chair Gustafson called the hearing to order on the above case and called for comments from staff.

Mr. Yearout stated the applicant had originally requested this matter be continued to February, 2012. No new information has been received; however staff has heard there are discussions on-going concerning the extent to which improvements would need to be made and how much that would cost. The City of Grandview Plaza has also been involved in some discussions, but there has been no indication any agreements have been reached. Staff is recommending the case be continued until the February, 2012, meeting, but that a decision between the parties will be needed by that time. Staff stated a letter would be written to both parties indicating a decision will be required at the February meeting or the matter will be forwarded with a recommendation of denial.

Commissioner Moyer moved that Case No. SUP-11-01-11, the application of Carl Corey, agent for Harold Glessner, owner, requesting a Special Use Permit on property zoned “A” Agricultural to install a parking lot near the southwest corner of the intersection of Smokey Lane and J-Hill Road, Junction City, Kansas, be continued to the February meeting. Commissioner Ryan seconded the motion and it carried unanimously.

4. NEW BUSINESS

Item No. 1 – Case No. Z-01-01-12 – Public hearing to rezone property bounded on the North by Chestnut Street, on the South by Spruce Street, on the East by Franklin Street and on the West by Washington Street.

Vice-Chair Gustafson called the public hearing to order on the application of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from “CSR” Service Commercial Restricted District, “MH” Mobile Home Park District, and “CCS” Central Commercial Special District to “CG” General Commercial District, the two blocks located at the south of Chestnut Street between Washington Street and Franklin Street.

Mr. Yearout reviewed the staff report indicating this property has been a mixture of commercial, residential and mobile homes uses over the years. That is why the existing zoning pattern is the way it is. The bulk of the property has been vacant for the past several years, with the remaining structures along Chestnut Street being razed in 2011. As of the time of this application all of the property within the two blocks is vacant and under single ownership. The intent of this rezoning is to place the entire property into a single zoning classification that provides enough flexibility to encourage the redevelopment of the land.

Mr. Yearout stated that a replat of these two blocks will be considered later in this meeting. That replat will place all the property into a single lot and also proposes to vacate Walnut Street between Washington Street and Franklin Street.

Mr. Yearout noted staff is recommending approval of this rezoning because it places the property in one commercial classification; staff believes it complies with the spirit and intent of the Zoning Regulations, and is in the best interest of the community.

Vice-Chair Gustafson opened the hearing for public comment.

Leon Osbourn, Kaw Valley Engineering, representing the property owner, stated the property is now owned by Kansas State Bank. In discussing the conditions on the property with staff it was felt the rezoning and replatting would be the best method to resolve all the other challenges on the property. He stated he concurred with staff comments and would be glad to answer any questions.

There being no further questions or appearances, Vice-Chair Gustafson closed the public hearing and called for a motion.

Mr. Yearout stated that Gary Junghans had sent an e-mail asking what the case was about. Mr. Yearout indicated he sent a reply to Mr. Junghans explaining the substance of the request and received a "thank you" with no additional questions or comments.

Commissioner Ryan moved that Case No. Z-01-01-12, the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to rezone from "CSR" Service Commercial Restricted District, "MH" Mobile Home Park District, and "CCS" Central Commercial Special District to "CG" General Commercial District, the property located between Chestnut Street on the north and Spruce Street on the south, and between Washington Street on the west and Franklin Street on the east, all in Junction City, Kansas, be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at this public hearing. Commissioner Dibben seconded the motion and it carried unanimously.

Mr. Yearout stated that this case is scheduled for consideration by the City Commission at the regularly scheduled February 21st meeting, which is the first meeting following the completion of the protest period.

Item No. 2 – Case No. Z-01-02-12 – Public hearing to rezone residential properties located on the south side of West 7th Street between Adams Street and Garfield Street.

Vice-Chair Gustafson called the public hearing to order on the application initiated by the City Commission of Junction City, Kansas, to rezone from "CSP" Special Commercial District to "RM" Multiple Family Residential District, the properties used residentially on the south side of West 7th Street between Adams Street and Garfield Street, Junction City, Kansas.

Mr. Yearout reviewed the staff report and noted the intent of this action is to place the non-commercial properties on the south side of 7th Street into a zoning category that permits the existing uses; thereby removing the "grandfathered" condition from the properties. Changes in lending laws in the past few years have made financing for single-family homes that are in commercial zones virtually impossible. The reason is because, in the event the residential structure is destroyed beyond 50% of its value, the City has no authority to issue a building permit to restore or rebuild the home. The City has processed at least three rezonings in the past year to rectify this situation so a home sale could be completed. This rezoning is intended to remove this same potential hurdle for the single-family homes along 7th Street.

Mr. Yearout stated that this rezoning will have no effect on the property taxes and there are no plans by the City to raze single-family homes and build apartments. The proposed rezoning to "RM" (Multiple Family) matches the "RM" zoning on the north side of 7th Street. The City is not forcing this change on anyone. If a property owner wishes to retain the designated commercial zone, they may do so but we will need to identify that parcel. To date, no-one has

made such a request. For these reasons and those stated in the staff report, staff is recommending approval of this case to the City Commission.

In response to a question from Commissioner Mortensen, Mr. Yearout stated the residential properties will be zoned "RM" Multiple Family Residential, the same as on the North side of 7th Street; and the "RM" designation does permit churches.

There being no other questions of staff, Vice-Chair Gustafson opened the hearing for public comment.

Scott Dye, 305 West 7th, stated when he applied for a loan for this property he is buying he was denied because of the commercial zoning on the property. The current owners of the property have moved to Alabama with the understanding there would be no problem with the financing. However, the current zoning of this property has brought the processing of the loan to a halt. Until the property is rezoned to residential, the lending institution will not approve the loan application.

Vice-Chair Gustafson asked if there was anyone else present wishing to be heard. There were no additional questions or comments. Vice-Chair Gustafson closed the public hearing.

Commissioner Mortensen questioned whether consideration should be given on a parcel-by-parcel or block-by-block basis. Mr. Yearout indicated this could be addressed in a single motion.

Commissioner Dibben asked when this area was given the commercial zoning; and if the current property owners were asked what they wanted. Mr. Yearout stated he was unsure when this area was designated for commercial development but the 1975 zoning map shows all this area as commercial.

Commissioner Moyer moved that Case No. Z-01-02-12, concerning the request initiated by the City Commission to consider the rezoning of the residentially used properties on the south side of 7th Street from Adams Street to Garfield Street be rezoned from "CSP" Special Commercial District to "RM" Multiple Family Residential District be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at this public hearing. Commissioner Ryan seconded the motion and it passed unanimously.

Mr. Yearout stated this case would be presented to the City Commission at their regularly scheduled February 21st meeting.

Item No. 3 – Case No. FP-01-01-12 – Final Plat for Quarry Oaks Addition Unit No. 1 to the City of Junction City, Kansas.

Vice-Chair Gustafson called the hearing to order on the request of Kaw Valley Engineering, agent, on behalf of RMD Investments, LLC, owner, requesting final plat approval for Quarry Oaks Addition Unit No. 1, being located on the east side of Spring Valley Road and north of Indian Ridge 6 Addition.

Mr. Yearout gave a brief overview of the staff report, stating that this final plat is in conformance with the approved preliminary plat and no alterations or changes were made. The developer proposes to privately pay for the extension of the public streets and utilities. In accordance with the Subdivision Regulations, a development agreement will be prepared. The final plat will not be presented to the City Commission until the agreement has been approved by

the City Attorney and other City officials. Staff is recommending approval of the Quarry Oaks Addition Unit No. 1, subject to execution of the development agreement.

Leon Osbourn, Kaw Valley Engineering, representing the developer, stated he had no other comments to add to the staff report and was present to answer any questions the Commission might have.

There was some general discussion between the Commissioners, staff and Mr. Osbourn regarding the facing of the home on Lots 1 and 8; why Lots 12 and 13 show two utility easements; and why there was only a 25-foot easement along Spring Valley Road. Mr. Osbourn explained all the reasons behind why those items are shown on the plat that way; which primarily is to comply with the Subdivision Regulations or requirements of the City for utility purposes.

There were no other appearances or public comment.

Commissioner Mortensen moved that Case No. FP-01-01-12, the application of Kaw Valley Engineering, agent, on behalf of RMD Investments, LLC, owner, requesting final plat approval of Quarry Oaks Addition, Unit No. 1, located on the east side of Spring Valley Road and north of Ponca Drive, be approved and the Chairman and Secretary be authorized to sign the plat; and the plat be forwarded to the City Commission of Junction City for final approval and acceptance upon completion of the development agreement addressing the public improvements within the plat. Commissioner Moyer seconded the motion and it passed unanimously.

Mr. Yearout stated that this case would be presented to the City Commission once the developer's agreement is accepted by the City Attorney and other interested City officials.

Item No. 4 – Case No. FP-01-02-12 – Chestington Addition, a Replat of Blocks 4 & 5 Schnell's Addition, to the City of Junction City, Kansas.

Vice-Chair Gustafson called the public hearing to order on the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, requesting final plat approval for the Chestington Addition, a replat of Blocks 4 & 5 Schnell's Addition, bounded on the North by Chestnut Street, on the South by Spruce Street, on the East by Franklin Street and on the West by Washington Street.

Mr. Yearout stated this is the same area considered in rezoning Case No. Z-01-01-12. The intent of this replat is to create a single lot and to vacate Walnut Street between Washington and Franklin Streets. The alleys will be vacated but retained as utility easements because the sanitary sewer mains of the City are in these alleys. Discussion with other utility representatives indicated there are no other utilities in the alleys and the only utilities in the Walnut Street right-of-way are some older electric lines that will be removed. Mr. Yearout stated another concern was the impact vacation of Walnut Street would have on storm drainage for the area. Engineering analysis shows that by connecting the curb line across Walnut Street on the east side of Washington Street, storm water will flow to the north or south since this is a "high point" at this location.

Another concern is that staff believes it is in the best interest of the City to require access control at the intersection of Washington Street and Chestnut Street. Staff is recommending a minimum of 100 feet of access control at that intersection.

Mr. Yearout stated staff believes this replat is in the best interest of the community and that adequate safeguards are in place to provide protections to the surrounding properties from

any use that may come forward. This replat, along with the rezoning of the property, should enhance the redevelopment potential of the site. A separate development agreement will be prepared that will address all the necessary issues associated with the replat until redevelopment occurs.

Mr. Yearout stated staff recommends this request be recommended for approval, subject to the final plat document showing the access controls identified along Washington Street and Chestnut Street, and the completion of the development agreement addressing the issues identified by staff and at this meeting.

Leon Osbourn, Kaw Valley Engineering, representing the property owner, indicated this replat will make this property more marketable for commercial development. Any costs associated with relocation of the existing Walnut Street storm sewer or the "alley" easements will be absorbed by the developer. As pointed out by staff, a developer's agreement can be drafted to safeguard the City against incurring an undue financial burden.

General discussion ensued between the Commissioners, staff and Leon Osbourn regarding when Walnut Street would be closed and safety issues involved, KDOT requirements regarding curb-cuts along Washington Street, distance from the Washington/Chestnut intersection for ingress/egress curb-cuts, storm water drainage, and contents of a developer's agreement. Answers were provided regarding all subjects to the satisfaction of the Commission.

There being no further questions or comments from staff or the public, Vice-Chair Gustafson called for a motion.

Commissioner Mortensen moved that Case No. FP-01-02-12, concerning the request of Kaw Valley Engineering, agent, on behalf of Crown Investment Company, owner, to replat the two blocks located south of Chestnut Street and east of Washington Street, Junction City, Kansas, be recommended for approval, subject to the final plat document showing the access controls identified by staff, and the completion of the development agreement addressing the issues identified by staff and at this meeting. Commissioner Moyer seconded the motion and it passed unanimously.

Mr. Yearout stated that this case would be presented to the City Commission once the final plat is received and the developer's agreement is accepted by the City Attorney and other interested City officials.

RECESS AS METROPOLITAN PLANNING COMMISSION AND CONVENE AS BOARD OF ZONING APPEALS

Vice-Chair Gustafson declared the Metropolitan Planning Commission as being in recess and convene as the Board of Zoning Appeals.

- 5. OLD BUSINESS - None**
- 6. NEW BUSINESS**

Item No. 1 – Case No. BZACU-01-01-12 – Public hearing for a Conditional Use Permit to convert a portion of a commercial building to apartments in the "CC" Central Commercial District.

Vice-Chair Gustafson called the public hearing to order on the application of Russell Schmidt, owner, requesting a Conditional Use Permit, to convert a portion of a commercial building to apartments in a building in the "CC" Central Commercial District, located at 813 North Jefferson, Junction City, Kansas.

Mr. Yearout gave a brief overview of the detailed information set out in the staff report regarding the property history and the Zoning Regulation guidelines for the Board to approve a conditional use permit. Mr. Yearout noted ownership and uses have changed several times over the intervening years and the building has been vacant for several years. The applicant, Mr. Schmidt, believes converting a portion of the building for residential use will allow the building to be used, since there is a high demand for residential properties. The applicant has been working with the Code Enforcement Department regarding building code requirements to have a residential use and a commercial use share the same building.

Mr. Yearout stated a letter was received from Janice Howard, owner/operator of Vacuum Center - Service Master at 817 North Jefferson, listing concerns about parking, noise and construction of a firewall between the proposed apartments and their building. No other correspondence or concerns were received.

Mr. Yearout stated that staff is recommending approval of this application because it meets the spirit and intent of the Zoning Regulations and the building has remained unused for commercial purposes.

There being no immediate questions of staff, Vice-Chair opened the hearing for public comment.

Mr. Russell Schmidt, applicant, indicated he had visited with the owners of the vacuum business and they do not have any problems. They have agreed to allow vehicle parking in their business parking lot. Mr. Schmidt stated that construction of the apartments is meeting all code requirements for a building with mixed uses. This does involve installation of a 2-hour firewall.

In response to questions from Commissioners, Mr. Schmidt stated just the front portion of the building will be the apartments; the back will remain as a warehouse. They are to be two-bedroom apartments each approximately 700 square feet in size.

There being no further appearances or public comment, Vice-Chair Gustafson closed the public hearing.

There was some general discussion between the Commissioners and staff regarding the parking, possibility of additional units in the future, and clarification that a Conditional Use goes with the property.

Commissioner Mortensen moved that Case No BZACU-01-01-12, the application of Russell Schmidt, owner, requesting a Conditional Use Permit to convert a portion of a commercial building to apartments in the "CC" Central Commercial District, located at 813 North Jefferson, Junction City, Kansas, be approved subject to compliance with the requirements of the Building Code. Commissioner Ryan seconded the motion and it passed unanimously.

ADJOURN AS BOARD OF ZONING APPEALS AND RECONVENE AS METROPOLITAN PLANNING COMMISSION

Vice-Chair Gustafson declared the Board of Zoning Appeals meeting adjourned and reconvened the Metropolitan Planning Commission.

7. GENERAL DISCUSSION

Mr. Yearout informed the Commission about a complaint received regarding the parking of a large motor home in a driveway. Technically, the Zoning Regulations have prohibited the storage/parking of such vehicles in any required front yard. There are guidelines that would allow them; provided, they are no more than one ton, on a concrete pad and meet any applicable side/rear yard setbacks. This should have been enforced since 1986. It appears no enforcement has been done. Discussion is occurring by staff regarding whether to start enforcement or amend the regulations.

Commissioner Ryan stated he remembers what happened when an ordinance was adopted relative to keeping trees timed on private property and the City ended up spending tons of money to have public right-of-way trees trimmed to meet the ordinance requirements. He advised to think through the full impact of any requirements within the regulations.

8. ADJOURNMENT

There being no further business, Commissioner Mortensen moved the meeting be adjourned. Commissioner Ryan seconded the motion and it carried unanimously. Vice-Chair Gustafson declared the meeting adjourned at 8:15 p.m.

PASSED AND APPROVED this _____ day of March, 2012.

Mike Steinfert, Chairman

ATTEST:

David L. Yearout, Secretary



**JUNCTION CITY/GEARY COUNTY
METROPOLITAN PLANNING COMMISSION
BOARD OF ZONING APPEALS**



STAFF REPORT

January 17, 2012

TO: Metropolitan Planning Commission / Board of Zoning Appeals

FM: David L. Yearout, AICP, CFM, Director of Planning and Zoning

SUBJECT: Z-01-02-12 – Request of the City of Junction City to rezone the residentially used properties on the south side of 7th Street from Adams Street to Garfield Street from “CSP” Special Commercial District to “RM” Multiple Family Residential.

This is the request initiated by the City Commission to consider the rezoning of the residentially used properties on the south side of 7th Street from Adams Street to Garfield Street from “CSP” Special Commercial District to “RM” Multiple Family Residential. There are 34 individual properties affected by this rezoning. The uses include single-family homes; apartments, churches and some vacant lots. Not all of the properties are used residentially, as there are some commercial uses that have extended north of the alley between 6th Street and 7th Street; but except for the block between Webster Street and Clay Street that is occupied by Dillon’s, the commercial uses are relatively small and unobtrusive. We have taken a number of calls from affected landowners, but after explaining the intent there have been no objections. If a landowner wishes to retain the commercial zoning, they may do so but we will need to identify that parcel.

As we have seen over the past year, the changes in the requirements for financing single-family homes has been made virtually impossible for most people to obtain conventional financing when the property associated with the single-family home is zoned commercial. The home itself is “grandfathered” and the City has no authority to order it be removed. But in the event the home is destroyed beyond 50% of its value, the City has no authority to issue a building permit for the single-family home to be rebuilt. The City has processed at least three rezonings in the past year to rectify this situation so a home sale could be completed. The rezoning is intended to remove this same potential hurdle for the single family homes along 7th Street.

There are other single-family homes within the City that are also zoned commercially and we will address those in due course. The intent at this time is to start this process along 7th Street because we have a number of homes already on the market that may be impacted by the commercial zoning, and staff believes it is more appropriate to resolve this situation at this time rather than place people in a “time crunch” where a closing is delayed until a rezoning can be completed. Presuming the successful completion of this case, staff will identify the other

properties over the next few months and discussion can be held regarding the value of initiating a rezoning on those properties then.

Staff Recommendation: Staff recommends this request to rezone all the residentially used properties on the south side of 7th Street between Adams Street and Garfield Street be recommended for approval for the reasons stated above.

Suggested Motion:

I move that Case No. Z-01-02-12, concerning the request initiated by the City Commission to consider the rezoning of the residentially used properties on the south side of 7th Street from Adams Street to Garfield Street from “CSP” Special Commercial District to “RM” Multiple Family Residential be recommended for approval by the City Commission based on the reasoning stated in the staff report and as presented at this public hearing.

Backup material for agenda item:

- a. Consideration of Resolution R-2666 to amend the Neighborhood Revitalization Plan. City Attorney Logan Presenting.

City of Junction City

City Commission

Agenda Memo

March 6, 2012

From: Katie Logan, City Attorney

To: City Commission & Gerry Vernon, City Manager

Subject: Public Hearing to Consider Amending the Neighborhood Revitalization Plan by Adding and Removing Property

Resolution R-2666 approving amendment to NRP and NRP Interlocal Agreement

Issue: The EDC is recommending that the existing City/County/USD 475 Neighborhood Revitalization Plan (last amended November, 2011) ("NRP") be further amended by adding 3 new parcels and by deleting the property located in the TIF District being proposed by Dick Edwards.

By Resolution R-2665, and as required by the NRP statute, the City scheduled a public hearing to be held at its March 6, 2012 regular meeting to consider amendments to the NRP.

Property Added to NRP

The NRP statute requires the City to hold a public hearing to consider the addition of property to an existing NRP. After the public hearing, the governing body of must find the existence of one or more of the conditions listed in KSA12-17,115(c)(1), (2) or (3), and that the rehabilitation, conservation or redevelopment of the area is necessary to protect the public health, safety or welfare of the residents of the municipality.

Kaw Valley Engineering issued a report dated January 30, 2012, copy attached, which includes findings as to the presence of conditions required under the NRP statute for three parcels described therein. KVE will make a presentation at the public hearing.

Property Removed from NRP

The parcel which is included in the Dick Edwards TIF Plan is in the existing NRP. If the property owner in a TIF District is seeking real property tax increment, that property cannot be simultaneously in a TIF District and included in NRP, because they are inconsistent. In NRP the property taxes are rebated to the then property owner. In a TIF District, the incremental property taxes are used to pay TIF Bonds. Accordingly the current amendment to the Plan also proposes to remove the Dick Edwards TIF parcel.

Alternatives: After conducting the public hearing and taking evidence that certain conditions exist as required by the NRP statute, the City Commission may:

Approve Resolution R-2666

Modify and approve Resolution R-2666

Table the item

Take no action

City Attorney Recommendation:

None as this is an economic development policy matter

Possible Motion:

Move to approve Resolution R-2666.

Enclosures:

Resolution R-2666
Kaw Valley Engineering report dated January 30, 2012
Timeline
Amendment to Interlocal Agreement

AMENDMENT TO INTERLOCAL AGREEMENT

THIS AMENDMENT TO INTERLOCAL AGREEMENT (hereinafter referred to as "Agreement") entered into as of March 6, 2012, by and among the City of Junction City, Kansas, a duly organized municipal corporation, hereinafter referred to as "City", the Board of County Commissioners of Geary County, Kansas, hereinafter referred to as "County", and Unified School District No. 475, Geary County, Kansas, hereinafter referred to as "USD 475".

WHEREAS, K.S.A. 12-2904, et seq. allows public agencies to enter into Interlocal Agreements to jointly perform certain functions including economic development; and

WHEREAS, The parties entered into an Interlocal Agreement on October 21, 1996 pursuant to the cited statute for the purpose of adopting a Neighborhood Revitalization Plan under K.S.A. 12-17,114 *et seq.* and amended said Plan by amending the Interlocal Agreement on November 19, 1996, February 3, 1998, March 3, 1999, February 7, 2000, April 23, 2001, October 4, 2001, February 4, 2003, November 4, 2003, June 15, 2004, October 29, 2004, September 12, 2005, February 6, 2006, October 22, 2007 November 18, 2008, April 20, 2010, and November, 2011; and

WHEREAS, all parties are pursuant to K.S.A. 12-2903 public agencies, capable of entering into Interlocal Agreements and amendments thereto; and

WHEREAS, K.S.A. 12-17,114 *et seq.* provides a program for neighborhood revitalization through the use of property tax rebates, ad further allows for the use of Interlocal Agreements between and among municipalities to further neighborhood revitalization; and

WHEREAS, it is the desire and intent of the parties hereto to amend certain provisions of the Plan relating modifying the length of certain rebates by adopting a 2011 Revision to the Neighborhood Revitalization Plan and amending this Agreement.

WHEREAS, it is the desire and intent if the parties to amend their October 21, 1996 Interlocal Agreement (as amended on November 19, 1996, February 3, 1998, March 3, 1999, February 7, 2000, April 23, 2001, October 4, 2001, February 4, 2003, November 4, 2003, June 15, 2004, October 19, 2004, September 12, 2005; February 6, 2006, October 22, 2007, November 18, 2008 and April 20, 2010, November, 2011) in order to implement the Amended Neighborhood Revitalization Plan dated March 6, 2012 (the "2012 Revision to Neighborhood Revitalization Plan")

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN THE PARTIES AGREE AS FOLLOWS:

1. The parties, acting through their respective governing bodies, agree to consider and act upon the 2011 Revision to Neighborhood Revitalization Plan in substantially the same form and content as Exhibit A, attached hereto and the 2012 Revision to Neighborhood Revitalization Plan, if and as adopted, will not be further amended by any of the parties acting separately, except only upon a written amendment signed by each party hereto.

2. The parties further agree that the County shall administer the 2012 Revision to Neighborhood Revitalization Plan as adopted by each party on behalf of the signatory parties. The parties acknowledge and agree that five percent (5%) of the increased tax caused by the

incremental increase in valuation as defined by K.S.A. 12-17,144 *et seq* , shall be used to pay administrative costs and expenses of the County in implementing and administering the 2012 Revision to Neighborhood Revitalization Plan, all as described in the 2011 Revision to Neighborhood Revitalization Plan. The County shall create a neighborhood fund as described in K.S.A. 12-17, 118.

3. This Agreement shall expire November 1, 2013. The parties agree to undertake review of the 2012 Revision Neighborhood Revitalization Plan commencing on January 1, 2013, to determine whether to continue the 2012 Revision to Neighborhood Revitalization Plan and whether to enter into a new Interlocal Agreement.

4. This agreement shall be executed in several counterparts, all of which together shall constitute the original agreement.

5. The parties agree the termination of this agreement by any party prior to November 1, 2013 would adversely impact the 2012 Revision to Neighborhood Revitalization Plan and, consequently, this Agreement makes no provision for termination prior to the expiration date.

IN WITNESS WHEREOF, the parties have hereto executed this contract as of the day and year first written.

CITY OF JUNCTION CITY, KANSAS

By _____
Pat Landes, Mayor

ATTEST:

Tyler Ficken, City Clerk

BOARD OF COUNTY COMMISSIONERS

Commissioner/Chairperson

Commissioner

Commissioner

ATTEST:

Rebecca Bossemeyer, County Clerk

UNIFIED SCHOOL DISTRICT #475

Board President

ATTEST:

USD #475 Board Clerk

APPROVED:

OFFICE OF THE ATTORNEY GENERAL
STATE OF KANSAS

By: _____

Date: _____

RESOLUTION NO. R-2666

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS APPROVING AN AMENDMENT TO THE NEIGHBORHOOD REVITALIZATION PLAN BY ADDING PROPERTY TO THE GENERAL NEIGHBORHOOD REVITALIZATION AREA AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH

WHEREAS, K.S.A. 12-17,114 *et seq.* ("NRP Act") provides a program for neighborhood revitalization through the use of property tax rebates, and further allows for the use of Interlocal Agreements between and among municipalities to further neighborhood revitalization; and

WHEREAS, the City of Junction City, Kansas, a duly organized municipal corporation, hereinafter referred to as "City", the Board of County Commissioners of Geary County, Kansas, hereinafter referred to as "County", and Unified School District No. 475, Geary County, Kansas, hereinafter referred to as "USD 475" have, by Interlocal Agreement, as amended, adopted an Amended Neighborhood Revitalization Plan dated November, 2011 (the "Plan")

WHEREAS, in accordance with the NRP Act, the City proposes to amend the Plan by including the property described on the attached Exhibit A (the "Additional Area") in the Plan and by removing the property described in the attached Exhibit B from the Plan; and

WHEREAS, notice of the public hearing on this Resolution R-2666 was given pursuant to K.S.A., 12-17,117(c) by publication in the Daily Union and at least once a week for two consecutive weeks and proof of such publication has been filed in the office of the City Clerk of The City of Junction City; and

WHEREAS, the Governing Body held a public hearing March 6, 2012 to consider the following proposed amendment to the Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS, THAT THE PLAN SHALL BE AMENDED AS FOLLOWS:

Section 1. The Plan is hereby amended as follows:

LEGAL DESCRIPTION OF THE GENERAL NEIGHBORHOOD REVITALIZATION AREA

The Additional Area shall be included in the Legal Description of the General Neighborhood Revitalization Area set forth in the Plan and in the map depicting such area.

FINDINGS

Pursuant to K.S.A. 12-17,116, the Governing Body makes the following findings with respect to the Additional Area:

a. The area described on Exhibit A as Special District 22-1 has the following characteristics qualify such area for inclusion in the neighborhood revitalization area: high special assessments, deteriorating structures, inadequate street and incompatible land use relationships, faulty lot layout in relationship to size and adequacy and usefulness. These conditions substantially impair or arrest the sound growth of the City, retard the provision of housing accommodations, constitute an economic or social liability and are detrimental to the public health, safety or welfare in its present condition and use.

b. The area described on Exhibit A as Special District 22-2 has the following characteristics qualify such area for inclusion in the neighborhood revitalization area: the existence of high tension wires across the western portion as well as major gas mains makes it difficult to develop, location in the 100-year flood plain

causes faulty lot layouts to size adequacy and usefulness, and inadequate street system and deteriorating structures. These conditions substantially impair or arrest the sound growth of the City, retard the provision of housing accommodations, constitute an economic or social liability and are detrimental to the public health, safety or welfare in its present condition and use.

c. The area described on Exhibit A as Special District 22-3 has the following characteristics qualify such area for inclusion in the neighborhood revitalization area: a substantial number of deteriorating structures, inadequate streets and faulty lot configuration and incompatible land use. The properties are traversed by a flood plain, various utilities and abundance of rock out croppings. These conditions substantially impair or arrest the sound growth of the City, retard the provision of housing accommodations, constitute an economic or social liability and are detrimental to the public health, safety or welfare in its present condition and use.

By reason of the findings made above, the Governing Body finds that one or more of the conditions as described in subsection (c) of K.S.A. 12-17,115 exist in the Additional Area and that the Additional Area is eligible for designation under the NRP Act and that the rehabilitation, conservation and redevelopment thereof is necessary to protect the public health, safety and welfare of the residents of Junction City.

ASSESSED VALUATION OF LAND AND BUILDINGS IN ADDITIONAL AREA

The assessed valuation of the land and buildings in the Additional Area can be obtained from the Geary County Assessor's Office located at the Geary County Office Building, 200 East Eighth Street, Junction City, Kansas and such record is adopted in and made a part of the Plan by reference.

NAMES AND ADDRESSES OF OWNERS OF RECORD OF ADDITIONAL AREA

Each owner of record of each parcel of land in the Additional Area is listed together with the corresponding address in the files of the Geary County Appraiser's Office located at the Geary County Office Building, 200 East Eighth Street, Junction City, Kansas, and such list is adopted in and made a part of the Plan by reference.

ZONING CLASSIFICATIONS ADDITIONAL AREA

The existing zoning classifications and zoning district boundaries and the existing land uses within the Additional Area are as set forth in the official zoning maps, records, resolutions and ordinances of the City of Junction City and Geary County.

MUNICIPAL SERVICES ADDITIONAL AREA

The Plan does not include any proposals for improving or expanding municipal services in the Additional Area as described in K.S.A. 12-17,117(a)(5) and, if any proposals for any such improvements or expansions of municipal services are hereafter proposed by the Governing Body, then any such proposal will be prepared and considered independently of the Plan.

CRITERIA FOR DETERMINATION OF ELIGIBILITY

The Additional Area is subject to the Criteria for Determination of Eligibility in the Plan.

APPLICATION AND REBATE PROCEDURE

The Additional Area is subject to the Application and Rebate Procedure in the Plan

INVESTMENT AND LENGTH OF TIME CRITERIA

The Additional Area is subject to the Investment and Length of Time Criteria as set forth in the Plan.

REMOVAL OF PROPERTY FROM NEIGHBORHOOD REVITALIZATION AREA.

The Area described on the attached Exhibit B, which is the subject of a pending application for Tax Increment Financing, is removed from the Neighborhood Revitalization Area.

Section 2. The Amendment to Interlocal Agreement dated as of March 6, 2012 is hereby approved.

APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS
ON THE 6TH DAY OF MARCH, 2012.

CITY OF JUNCTION CITY, KANSAS

By _____
Pat Landes, Mayor

ATTEST:

Tyler Ficken, City Clerk

EXHIBIT A

AREA NO. 1 TO BE KNOWN AS SPECIAL DISTRICT 22-1

RUSSELL J JOHNSON/N OF RUCKER, BEING EAST OF HWY 77 AND WEST OF DOC HARGREAVES ADDITIONS

DESCRIPTION:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 5 EAST AND THAT PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN IN THE COUNTY OF GEARY, STATE OF KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF RUSSELL J. JOHNSON ADDITION TO THE CITY OF JUNCTION CITY; THENCE ON AN ASSUMED BEARING OF S 00°37'19" E ALONG THE WEST LINE OF SAID RUSSELL J. JOHNSON ADDITION AND THE WEST LINE OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 5 AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 1311.83 FEET TO THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF HUNTER'S RIDGE ADDITION UNIT NO. 1; THENCE S 89°39'26" W ALONG SAID NORTHERLY LINE AND ITS EASTERLY PROLONGATION, A DISTANCE OF 223.50 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF RUCKER ROAD; THENCE N 27°51'30" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 63.07 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77; THENCE N 80°33'00" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77, A DISTANCE OF 350.78 FEET; THENCE N 12°23'56" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 366.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5654.65 FEET, AN ARC LENGTH OF 869.08 FEET, A CHORD BEARING OF N 00°21'19" W, AND A CHORD DISTANCE OF 868.23 FEET; THENCE N 04°02'40" E CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2416.29 FEET; THENCE S 63°23'35" E A DISTANCE OF 647.69 FEET; THENCE S 04°02'40" W A DISTANCE OF 1151.97 FEET; THENCE N 85°57'20" W A DISTANCE OF 284.12 FEET; THENCE S 04°02'40" W A DISTANCE OF 520.31 FEET; THENCE N 89°39'08" E A DISTANCE OF 315.13 FEET; THENCE S 00°37'19" E A DISTANCE OF 241.62 FEET TO THE WESTERLY LINE OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 5; THENCE S 46°12'15" W CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 73.88 FEET; THENCE S 04°02'40" W CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 148.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NICOLE LANE; THENCE N 89°39'08" E ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 65.92 FEET; THENCE S 00°37'19" E A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

AND

LOT 1, BLOCK 2, TURKEY HOLLOW ADDITION TO JUNCTION CITY, KANSAS

AND

LOT 1, BLOCK 1, TURKEY RIDGE ADDITION TO JUNCTION CITY, KANSAS

AREA NO. 2 TO BE KNOWN AS SPECIAL DISTRICT 22-2:

ALTWEGG - EAST OF SALES BARN, NORTH OF ABANDONED SMOKY HILL RIVER CHANNEL

DESCRIPTION TRACT "A":

A TRACT OF LAND LOCATED IN NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 6 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS AND BEING DESCRIBED AS FOLLOWS;
COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE ON AN ASSUMED BEARING OF N 00°33'40" W ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 555.05 FEET;
THENCE N 89°26'20" E A DISTANCE OF 73.32 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF EAST STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;
THENCE N 02°49'22" W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 19.38 FEET;
THENCE N 12°57'45" W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 229.01 FEET;
THENCE N 00°01'53" W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 449.62 FEET TO A POINT ON THE OLD MILITARY RESERVATION LINE;
THENCE S 52°46'27" E ALONG SAID OLD MILITARY RESERVATION LINE, A DISTANCE OF 1138.02 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 70;
THENCE S 42°04'24" W ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 135.02 FEET;
THENCE N 79°45'50" W ALONG THE TOP OF BANK OF THE ABANDONED SMOKY HILL RIVER CHANNEL, A DISTANCE OF 131.83 FEET;
THENCE S 85°59'08" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 63.61 FEET;
THENCE S 70°40'45" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 64.12 FEET;
THENCE N 82°13'45" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 53.44 FEET;
THENCE S 87°53'43" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 106.97 FEET;
THENCE N 83°38'41" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 109.53 FEET;
THENCE N 70°54'14" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 254.75 FEET TO THE POINT OF BEGINNING. CONTAINS 8.46 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
END OF DESCRIPTION

DESCRIPTION TRACT "B":

A TRACT OF LAND LOCATED IN NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS AND BEING DESCRIBED AS FOLLOWS;
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF N 00°33'40" W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 621.05 FEET;
THENCE S 89°26'20" W A DISTANCE OF 177.70 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EAST STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;
THENCE N 69°15'52" W ALONG THE TOP OF BANK OF THE ABANDONED SMOKY HILL RIVER CHANNEL, A DISTANCE OF 490.66 FEET;
THENCE N 81°45'33" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 233.41 FEET;
THENCE S 86°23'47" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 229.98 FEET;
THENCE S 77°58'28" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 305.64 FEET;
THENCE N 86°03'52" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 158.92 FEET;
THENCE S 89°40'37" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 161.74 FEET;
THENCE S 83°14'50" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 214.68 FEET;
THENCE S 61°48'29" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 246.42 FEET;
THENCE S 74°16'59" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 138.37 FEET;
THENCE S 53°04'42" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 221.95 FEET;
THENCE S 28°33'58" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 318.23 FEET TO A POINT WHICH IS ON THE EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF 1ST STREET;
THENCE S 89°17'34" W ALONG SAID EXTENDED RIGHT-OF-WAY LINE, A DISTANCE OF 43.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;
THENCE N 09°52'45" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 774.80 FEET TO THE SOUTHWEST CORNER OF THE SALE BARN ADDITION, AS RECORDED IN THE REGISTER OF DEEDS OFFICE, GEARY COUNTY, KANSAS;

THENCE N 89°29'45" E ALONG THE SOUTH LINE OF SAID SALE BARN ADDITION, A DISTANCE OF 297.45 FEET TO THE SOUTHEAST CORNER OF SAID SALE BARN ADDITION;
THENCE N 00°31'23" W ALONG THE EASTERLY LINE OF SAID SALE BARN ADDITION, A DISTANCE OF 686.40 FEET;
THENCE N 89°20'22" E CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 331.16 FEET;
THENCE N 00°31'23" W CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 243.15 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 40, ALSO KNOWN AS 6TH STREET;
THENCE N 89°20'22" E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1092.93 FEET TO A POINT ON THE OLD MILITARY RESERVATION LINE;
THENCE S 52°46'27" E ALONG SAID OLD MILITARY RESERVATION LINE, A DISTANCE OF 852.57 FEET TO SAID WEST RIGHT-OF-WAY LINE OF EAST STREET;
THENCE S 00°01'53" E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 561.42 FEET;
THENCE S 15°13'40" W ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 187.79 FEET TO THE POINT OF BEGINNING. CONTAINS 52.33 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
END OF DESCRIPTION

NOTES: THE ABOVE TRACTS "A" AND "B" ARE THE SAME TRACTS OF LAND AS DESCRIBED IN DEED BOOK 99, PAGES 298-299 AND DEED BOOK 91, PAGE 1237.

AREA NO. 3 TO BE KNOWN AS SPECIAL DISTRICT NO. 22-3:

K-18 TO MIDDLE SCHOOL

DESCRIPTION:

A STRIP OF LAND OVER A PORTION OF THE SOUTH HALF OF SECTION 3 AND THE SOUTHEAST QUARTER OF SECTION 4 AND THE NORTH HALF OF SECTION 10 AND THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 SOUTH, RANGE 5 EAST, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING 1000 FEET WIDE LYING 500 FEET ON BOTH SIDES OF THE CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 3;
THENCE ALONG THE COMMON SECTION LINE OF SAID SECTION 3 AND SAID SECTION 10 TO THE SOUTHWEST CORNER OF SAID SECTION 3;
THENCE ALONG THE COMMON SECTION LINE OF SAID SECTION 4 AND SAID SECTION 9 TO SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 4, BEING THE POINT OF TERMINUS. THE SIDELINES OF THE ABOVE DESCRIBED STRIP OF LAND SHALL BE EXTENDED AND SHORTENED TO TERMINATE AT THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 4 AND THE WEST LINE OF SAID NORTHEAST CORNER OF SECTION 9.

AND

DESCRIPTION:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 5 EAST, COUNTY OF GEARY, STATE OF KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3;
THENCE ON AN ASSUMED BEARING OF N 07°35'15" E ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 508.83 FEET;
THENCE S 89°41'10" W ALONG A LINE PARALLEL AND 500 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 661.50 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING S 89°41'10" W ALONG SAID LINE A DISTANCE OF 1976.99 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER;
THENCE N 07°34'39" E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 950.43 FEET;
THENCE N 77°57'39" E A DISTANCE OF 697.29 FEET;
THENCE S 39°02'29" E A DISTANCE OF 689.31 FEET;
THENCE S 39°43'46" E A DISTANCE OF 230.58 FEET;
THENCE S 70°06'17" E A DISTANCE OF 259.09 FEET;
THENCE S 54°53'18" E A DISTANCE OF 400.00 FEET;
THENCE S 20°40'22" E A DISTANCE OF 48.95 FEET TO THE POINT OF BEGINNING

EXHIBIT B

TO BE REMOVED FROM NRP: NE QUAD, HWY 77 & GOLDENBELT BLVD

LEGAL DESCRIPTION: (TIF DISTRICT)

A TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 5 EAST, A PART OF THE SOUTHWEST QUARTER OF SAID SECTION 15, AND A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 3, THE BLUFFS ADDITION TO JUNCTION CITY, KANSAS;

THENCE ON AN ASSUMED BEARING OF S 19°27'16" E ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD, A DISTANCE OF 10.59 FEET;

THENCE CONTINUING ON SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 494.14 FEET, A CHORD BEARING OF S 37°23'36" E, A CHORD DISTANCE OF 304.39 FEET, AN ARC DISTANCE OF 309.42 FEET;

THENCE N 85°05'08" W A DISTANCE OF 478.69 FEET;

THENCE S 13°26'25" W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 70, A DISTANCE OF 112.52 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 73°33'13" W A DISTANCE OF 442.40 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 00°00'53" E A DISTANCE OF 123.55 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 89°57'52" W A DISTANCE OF 108.05 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 65°32'47" W A DISTANCE OF 381.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 77;

THENCE N 00°28'39" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 406.64 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 24°28'06" W A DISTANCE OF 206.26 FEET TO A POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF JACK LACY DRIVE AND SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 65°31'54" W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 205.42 FEET;

THENCE N 24°28'06" W A DISTANCE OF 123.82 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTHWIND DRIVE;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 340.00 FEET, A CHORD BEARING OF N 00°52'45" W, A CHORD DISTANCE OF 134.87 FEET, AN ARC DISTANCE OF 135.77 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 10°33'38" E A DISTANCE OF 55.01 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET, A CHORD BEARING OF N 01°38'03" W, A CHORD DISTANCE OF 194.34 FEET, AN ARC DISTANCE OF 195.81 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 27°59'04" W A DISTANCE OF 118.61 FEET;

THENCE N 82°08'41" E A DISTANCE OF 370.84 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 00°47'20" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 217.74 FEET;

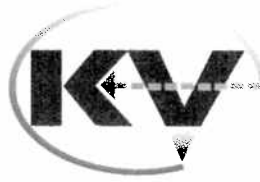
THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S 24°27'16" E A DISTANCE OF 184.60 FEET TO A POINT OF INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77 WITH THE NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD;

THENCE N 65°32'44" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD, A DISTANCE OF 172.73 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 634.14 FEET, A CHORD BEARING OF N 85°55'01" E, A CHORD DISTANCE OF 441.49 FEET, AN ARC DISTANCE OF 450.93 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 41°15'21" E A DISTANCE OF 97.98 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT
HAVING A RADIUS OF 724.14 FEET, A CHORD BEARING OF S 58°58'44" E, A CHORD DISTANCE OF
287.73 FEET, AN ARC DISTANCE OF 289.66 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 14°45'04" W A DISTANCE
OF 80.29 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT
HAVING A RADIUS OF 654.14 FEET, A CHORD BEARING OF S 31°51'00" E, A CHORD DISTANCE OF
280.83 FEET, AN ARC DISTANCE OF 283.04 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 19°27'16" E A DISTANCE
OF 273.35 FEET TO THE POINT OF BEGINNING.
CONTAINS 26.22 ACRES, MORE OR LESS.
END OF DESCRIPTION



KAW VALLEY ENGINEERING, INC.

January 30, 2012
A12D5877

Mr. Ben Kitchens, EDC Chairman
Economic Development Commission
P.O. Box 1876
Junction City, Kansas 66441

RE: Amendments to the Neighborhood Revitalization Plan

Dear Mr. Kitchen:

In reviewing the proposed areas, it was discovered that some of the proposed areas have already been included within past amendments. Therefore KVE has completed a complete review of the existing plan, ending with Revision SD21 dated April 20, 2010, R 2603.

Kaw Valley Engineering, Inc.'s (KVE) original proposal was to add four (4) new areas to the plan and evaluate if the proposed areas met the statutory findings per KSA 12-17, 11S.

Area No. 1 to be known as Special District 22-1 per our proposal dated January 10, 2012, included areas at the intersection of Highway 77 and Rucker Road and north several thousand feet on the east side of Highway 77.

The southern portion consists of two (2) platted lots, one east and the other west of Highway 77. Both of these lots have inadequate access to Highway 77. With the proposed improvements to Highway 77 access will be further degraded. Incompatible land use as it is predominantly within a residential neighborhood. Both of these properties have high special assessments and are zoned commercial.

The north portion of the property lying north of Rucker Road and east of Highway 77 have a substantial number of deteriorating structures, inadequate street and incompatible land use relationships. After improvements to the intersection of Highway 77 and Rucker Road, access will be further degraded. Property further north will have no access to Highway 77 creating inadequate street as well as faulty lot layout in relation to size adequacy and usefulness.

The above condition substantially impair arrest to the sound growth of the City, retard the provision of housing accommodation, constitute an economic or social liability and are determined to the public health, safety or welfare in its present condition and use.

o t h e r l o c a t i o n s

SPECIAL DISTRICT 22-1

**RUSSELL J JOHNSON/N OF RUCKER, BEING EAST OF HWY 77 AND WEST OF DOC
HARGREAVES ADDITIONS**

DESCRIPTION:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 5 EAST AND THAT PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN IN THE COUNTY OF GEARY, STATE OF KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF RUSSELL J. JOHNSON ADDITION TO THE CITY OF JUNCTION CITY; THENCE ON AN ASSUMED BEARING OF S 00°37'19" E ALONG THE WEST LINE OF SAID RUSSELL J. JOHNSON ADDITION AND THE WEST LINE OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 5 AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 1311.83 FEET TO THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF HUNTER'S RIDGE ADDITION UNIT NO. 1;

THENCE S 89°39'26" W ALONG SAID NORTHERLY LINE AND ITS EASTERLY PROLONGATION, A DISTANCE OF 223.50 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF RUCKER ROAD;

THENCE N 27°51'30" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 63.07 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE N 80°33'00" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77, A DISTANCE OF 350.78 FEET;

THENCE N 12°23'56" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 366.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5654.65 FEET, AN ARC LENGTH OF 869.08 FEET, A CHORD BEARING OF N 00°21'19" W, AND A CHORD DISTANCE OF 868.23 FEET;

THENCE N 04°02'40" E CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2416.29 FEET;

THENCE S 63°23'35" E A DISTANCE OF 647.69 FEET;

THENCE S 04°02'40" W A DISTANCE OF 1151.97 FEET;

THENCE N 85°57'20" W A DISTANCE OF 284.12 FEET;

THENCE S 04°02'40" W A DISTANCE OF 520.31 FEET;

THENCE N 89°39'08" E A DISTANCE OF 315.13 FEET;

THENCE S 00°37'19" E A DISTANCE OF 241.62 FEET TO THE WESTERLY LINE OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 5;

THENCE S 46°12'15" W CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 73.88 FEET;

THENCE S 04°02'40" W CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 148.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NICOLE LANE;

THENCE N 89°39'08" E ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 65.92 FEET;

THENCE S 00°37'19" E A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

AND

LOT 1, BLOCK 2, TURKEY HOLLOW ADDITION TO JUNCTION CITY, KANSAS

AND

LOT 1, BLOCK 1, TURKEY RIDGE ADDITION TO JUNCTION CITY, KANSAS

Area No. 2 to be known as Special District 22-2 per our proposal dated January 10, 2012, involve property east of the sale barn and north of the old river channel and south of 6th Street right-of-way over to I-70 right-of way.

Special District 22-2 consists of undeveloped property with an old farm home site adjacent to an old river channel that has several characteristics that make it a prime candidate for neighborhood "vitalization". The existence of high tension wires across the western portion as well as major gas mains makes it difficult to develop in the face of the utility right-of-way and fears of electric fields of energy. The extraordinary high land preparation costs and fill requirements due to the 100-year flood plain causes faulty lot layouts to size adequacy and usefulness. The relationship for existing arterial and interstate right-of-way will create an inadequate street system. The eastern portion has a number of deteriorating structures that have created a public health concern.

The above described conditions make Special District 22-2 difficult to develop and substantially impair and arrests the sound growth of the City.

ALTWEGG - EAST OF SALES BARN, NORTH OF ABANDONED SMOKY HILL RIVER CHANNEL

DESCRIPTION TRACT "A":

A TRACT OF LAND LOCATED IN NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 6 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS AND BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE ON AN ASSUMED BEARING OF N 00°33'40" W ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 555.05 FEET;

THENCE N 89°26'20" E A DISTANCE OF 73.32 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF EAST STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;

THENCE N 02°49'22" W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 19.38 FEET;

THENCE N 12°57'45" W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 229.01 FEET;

THENCE N 00°01'53" W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 449.62 FEET TO A POINT ON THE OLD MILITARY RESERVATION LINE;

THENCE S 52°46'27" E ALONG SAID OLD MILITARY RESERVATION LINE, A DISTANCE OF 1138.02 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 70;

THENCE S 42°04'24" W ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 135.02 FEET;

THENCE N 79°45'50" W ALONG THE TOP OF BANK OF THE ABANDONED SMOKY HILL RIVER CHANNEL, A DISTANCE OF 131.83 FEET;

THENCE S 85°59'08" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 63.61 FEET;

THENCE S 70°40'45" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 64.12 FEET;
THENCE N 82°13'45" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 53.44 FEET;
THENCE S 87°53'43" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 106.97 FEET;
THENCE N 83°38'41" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 109.53 FEET;
THENCE N 70°54'14" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 254.75 FEET TO THE POINT OF BEGINNING. CONTAINS 8.46 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
END OF DESCRIPTION

DESCRIPTION TRACT "B":

A TRACT OF LAND LOCATED IN NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS AND BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF N 00°33'40" W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 621.05 FEET;

THENCE S 89°26'20" W A DISTANCE OF 177.70 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EAST STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;

THENCE N 69°15'52" W ALONG THE TOP OF BANK OF THE ABANDONED SMOKY HILL RIVER CHANNEL, A DISTANCE OF 490.66 FEET;

THENCE N 81°45'33" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 233.41 FEET;

THENCE S 86°23'47" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 229.98 FEET;

THENCE S 77°58'28" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 305.64 FEET;

THENCE N 86°03'52" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 158.92 FEET;

THENCE S 89°40'37" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 161.74 FEET;

THENCE S 83°14'50" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 214.68 FEET;

THENCE S 61°48'29" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 246.42 FEET;

THENCE S 74°16'59" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 138.37 FEET;

THENCE S 53°04'42" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 221.95 FEET;

THENCE S 28°33'58" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 318.23 FEET TO A POINT WHICH IS ON THE EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF 1ST STREET;
THENCE S 89°17'34" W ALONG SAID EXTENDED RIGHT-OF-WAY LINE, A DISTANCE OF 43.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;
THENCE N 09°52'45" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 774.80 FEET TO THE SOUTHWEST CORNER OF THE SALE BARN ADDITION, AS RECORDED IN THE REGISTER OF DEEDS OFFICE, GEARY COUNTY, KANSAS;
THENCE N 89°29'45" E ALONG THE SOUTH LINE OF SAID SALE BARN ADDITION, A DISTANCE OF 297.45 FEET TO THE SOUTHEAST CORNER OF SAID SALE BARN ADDITION;
THENCE N 00°31'23" W ALONG THE EASTERLY LINE OF SAID SALE BARN ADDITION, A DISTANCE OF 686.40 FEET;
THENCE N 89°20'22" E CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 331.16 FEET;
THENCE N 00°31'23" W CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 243.15 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 40, ALSO KNOWN AS 6TH STREET;
THENCE N 89°20'22" E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1092.93 FEET TO A POINT ON THE OLD MILITARY RESERVATION LINE;
THENCE S 52°46'27" E ALONG SAID OLD MILITARY RESERVATION LINE, A DISTANCE OF 852.57 FEET TO SAID WEST RIGHT-OF-WAY LINE OF EAST STREET;
THENCE S 00°01'53" E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 561.42 FEET;
THENCE S 15°13'40" W ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 187.79 FEET TO THE POINT OF BEGINNING. CONTAINS 52.33 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
END OF DESCRIPTION

NOTES: THE ABOVE TRACTS "A" AND "B" ARE THE SAME TRACTS OF LAND AS DESCRIBED IN DEED BOOK 99, PAGES 298-299 AND DEED BOOK 91, PAGE 1237.

Area No. 3 to be known as Special District No. 22-3 per our proposal dated January 10, 2012, consists of that land north and south of K-18 Highway from Rucker Road and Old K-18 Hwy west to the west line of the Middle School.

The property within this corridor is a mix of uses that involve vacant property to properties that have a substantial number of deteriorating structures. The lack of access to both Highway 77 and K-18 will create inadequate streets as well as a faulty lot configuration and further create incompatible land use. The properties are traversed by a flood plain, various utilities and abundance of rock out cropping that will substantially impair or arrest the sound growth of the city.

K-18 TO MIDDLE SCHOOL

DESCRIPTION:

A STRIP OF LAND OVER A PORTION OF THE SOUTH HALF OF SECTION 3 AND THE SOUTHEAST QUARTER OF SECTION 4 AND THE NORTH HALF OF SECTION 10 AND THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 SOUTH, RANGE 5 EAST, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING 1000 FEET WIDE LYING 500 FEET ON BOTH SIDES OF THE CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 3;

THENCE ALONG THE COMMON SECTION LINE OF SAID SECTION 3 AND SAID SECTION 10 TO THE SOUTHWEST CORNER OF SAID SECTION 3;

THENCE ALONG THE COMMON SECTION LINE OF SAID SECTION 4 AND SAID SECTION 9 TO SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 4, BEING THE POINT OF TERMINUS. THE SIDELINES OF THE ABOVE DESCRIBED STRIP OF LAND SHALL BE EXTENDED AND SHORTENED TO TERMINATE AT THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 4 AND THE WEST LINE OF SAID NORTHEAST CORNER OF SECTION 9.

AND

DESCRIPTION:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 5 EAST, COUNTY OF GEARY, STATE OF KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF N 07°35'15" E ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 508.83 FEET;

THENCE S 89°41'10" W ALONG A LINE PARALLEL AND 500 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 661.50 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S 89°41'10" W ALONG SAID LINE A DISTANCE OF 1976.99 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER;

THENCE N 07°34'39" E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 950.43 FEET;

Mr. B Kitchens
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THENCE N 77°57'39" E A DISTANCE OF 697.29 FEET;
THENCE S 39°02'29" E A DISTANCE OF 689.31 FEET;
THENCE S 39°43'46" E A DISTANCE OF 230.58 FEET;
THENCE S 70°06'17" E A DISTANCE OF 259.09 FEET;
THENCE S 54°53'18" E A DISTANCE OF 400.00 FEET;
THENCE S 20°40'22" E A DISTANCE OF 48.95 FEET TO THE POINT OF BEGINNING

Area No. 4 has been previously included in Amendment No. Special District 6, Special District 17, and Special District 21 per our proposal dated January 10, 2012.

TO BE REMOVED FROM NRP: NE QUAD, HWY 77 & GOLDENBELT BLVD
LEGAL DESCRIPTION: (TIEF DISTRICT)

A TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 5 EAST, A PART OF THE SOUTHWEST QUARTER OF SAID SECTION 15, AND A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 3, THE BLUFFS ADDITION TO JUNCTION CITY, KANSAS;

THENCE ON AN ASSUMED BEARING OF S 19°27'16" E ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD, A DISTANCE OF 10.59 FEET;

THENCE CONTINUING ON SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 494.14 FEET, A CHORD BEARING OF S 37°23'36" E, A CHORD DISTANCE OF 304.39 FEET, AN ARC DISTANCE OF 309.42 FEET;

THENCE N 85°05'08" W A DISTANCE OF 478.69 FEET;

THENCE S 13°26'25" W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 70, A DISTANCE OF 112.52 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 73°33'13" W A DISTANCE OF 442.40 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 00°00'53" E A DISTANCE OF 123.55 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 89°57'52" W A DISTANCE OF 108.05 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 65°32'47" W A DISTANCE OF 381.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 77;

THENCE N 00°28'39" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 406.64 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 24°28'06" W A DISTANCE OF 206.26 FEET TO A POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF JACK LACY DRIVE AND SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 65°31'54" W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 205.42 FEET;

THENCE N 24°28'06" W A DISTANCE OF 123.82 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTHWIND DRIVE;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 340.00 FEET, A CHORD BEARING OF N 00°52'45" W, A CHORD DISTANCE OF 134.87 FEET, AN ARC DISTANCE OF 135.77 FEET;
THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 10°33'38" E A DISTANCE OF 55.01 FEET;
THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET, A CHORD BEARING OF N 01°38'03" W, A CHORD DISTANCE OF 194.34 FEET, AN ARC DISTANCE OF 195.81 FEET;
THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 27°59'04" W A DISTANCE OF 118.61 FEET;
THENCE N 82°08'41" E A DISTANCE OF 370.84 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;
THENCE S 00°47'20" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 217.74 FEET;
THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S 24°27'16" E A DISTANCE OF 184.60 FEET TO A POINT OF INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77 WITH THE NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD;
THENCE N 65°32'44" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD, A DISTANCE OF 172.73 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 634.14 FEET, A CHORD BEARING OF N 85°55'01" E, A CHORD DISTANCE OF 441.49 FEET, AN ARC DISTANCE OF 450.93 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 41°15'21" E A DISTANCE OF 97.98 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 724.14 FEET, A CHORD BEARING OF S 58°58'44" E, A CHORD DISTANCE OF 287.73 FEET, AN ARC DISTANCE OF 289.66 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 14°45'04" W A DISTANCE OF 80.29 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 654.14 FEET, A CHORD BEARING OF S 31°51'00" E, A CHORD DISTANCE OF 280.83 FEET, AN ARC DISTANCE OF 283.04 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 19°27'16" E A DISTANCE OF 273.35 FEET TO THE POINT OF BEGINNING.
CONTAINS 26.22 ACRES, MORE OR LESS.
END OF DESCRIPTION

RESOLUTION NO. R-2666

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS APPROVING AN AMENDMENT TO THE NEIGHBORHOOD REVITALIZATION PLAN BY ADDING PROPERTY TO THE GENERAL NEIGHBORHOOD REVITALIZATION AREA AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH

WHEREAS, K.S.A. 12-17,114 *et seq.* ("NRP Act") provides a program for neighborhood revitalization through the use of property tax rebates, and further allows for the use of Interlocal Agreements between and among municipalities to further neighborhood revitalization; and

WHEREAS, the City of Junction City, Kansas, a duly organized municipal corporation, hereinafter referred to as "City", the Board of County Commissioners of Geary County, Kansas, hereinafter referred to as "County", and Unified School District No. 475, Geary County, Kansas, hereinafter referred to as "USD 475" have, by Interlocal Agreement, as amended, adopted an Amended Neighborhood Revitalization Plan dated November, 2011 (the "Plan")

WHEREAS, in accordance with the NRP Act, the City proposes to amend the Plan by including the property described on the attached Exhibit A (the "Additional Area") in the Plan and by removing the property described in the attached Exhibit B from the Plan; and

WHEREAS, notice of the public hearing on this Resolution R-2666 was given pursuant to K.S.A., 12-17,117(c) by publication in the Daily Union and at least once a week for two consecutive weeks and proof of such publication has been filed in the office of the City Clerk of The City of Junction City; and

WHEREAS, the Governing Body held a public hearing March 6, 2012 to consider the following proposed amendment to the Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS, THAT THE PLAN SHALL BE AMENDED AS FOLLOWS:

Section 1. The Plan is hereby amended as follows:

LEGAL DESCRIPTION OF THE GENERAL NEIGHBORHOOD REVITALIZATION AREA

The Additional Area shall be included in the Legal Description of the General Neighborhood Revitalization Area set forth in the Plan and in the map depicting such area.

FINDINGS

Pursuant to K.S.A. 12-17,116, the Governing Body makes the following findings with respect to the Additional Area:

a. The area described on Exhibit A as Special District 22-1 has the following characteristics qualify such area for inclusion in the neighborhood revitalization area: high special assessments, deteriorating structures, inadequate street and incompatible land use relationships, faulty lot layout in relationship to size and adequacy and usefulness. These conditions substantially impair or arrest the sound growth of the City, retard the provision of housing accommodations, constitute an economic or social liability and are detrimental to the public health, safety or welfare in its present condition and use.

b. The area described on Exhibit A as Special District 22-2 has the following characteristics qualify such area for inclusion in the neighborhood revitalization area: the existence of high tension wires across the western portion as well as major gas mains makes it difficult to develop, location in the 100-year flood plain causes faulty lot layouts to size adequacy and usefulness, and inadequate street system and deteriorating structures. These conditions substantially impair or arrest the sound growth of the City, retard the provision of housing accommodations, constitute an economic or social liability and are detrimental to the public health, safety or welfare in its present condition and use.

c. The area described on Exhibit A as Special District 22-3 has the following characteristics qualify such area for inclusion in the neighborhood revitalization area: a substantial number of deteriorating structures, inadequate streets and faulty lot configuration and incompatible land use. The properties are traversed by a flood plain, various utilities and abundance of rock out croppings. These conditions substantially impair or arrest the sound growth of the City, retard the provision of housing accommodations, constitute an economic or social liability and are detrimental to the public health, safety or welfare in its present condition and use.

By reason of the findings made above, the Governing Body finds that one or more of the conditions as described in subsection (c) of K.S.A. 12-17,115 exist in the Additional Area and that the Additional Area is eligible for designation under the NRP Act and that the rehabilitation, conservation and redevelopment thereof is necessary to protect the public health, safety and welfare of the residents of Junction City.

ASSESSED VALUATION OF LAND AND BUILDINGS IN ADDITIONAL AREA

The assessed valuation of the land and buildings in the Additional Area can be obtained from the Geary County Assessor's Office located at the Geary County Office Building, 200 East Eighth Street, Junction City, Kansas and such record is adopted in and made a part of the Plan by reference.

NAMES AND ADDRESSES OF OWNERS OF RECORD OF ADDITIONAL AREA

Each owner of record of each parcel of land in the Additional Area is listed together with the corresponding address in the files of the Geary County Appraiser's Office located a the

Geary County Office Building, 200 East Eighth Street, Junction City, Kansas, and such list is adopted in and made a part of the Plan by reference.

ZONING CLASSIFICATIONS ADDITIONAL AREA

The existing zoning classifications and zoning district boundaries and the existing land uses within the Additional Area are as set forth in the official zoning maps, records, resolutions and ordinances of the City of Junction City and Geary County.

MUNICIPAL SERVICES ADDITIONAL AREA

The Plan does not include any proposals for improving or expanding municipal services in the Additional Area as described in K.S.A. 12-17,117(a)(5) and, if any proposals for any such improvements or expansions of municipal services are hereafter proposed by the Governing Body, then any such proposal will be prepared and considered independently of the Plan.

CRITERIA FOR DETERMINATION OF ELIGIBILITY

The Additional Area is subject to the Criteria for Determination of Eligibility in the Plan.

APPLICATION AND REBATE PROCEDURE

The Additional Area is subject to the Application and Rebate Procedure in the Plan

INVESTMENT AND LENGTH OF TIME CRITERIA

The Additional Area is subject to the Investment and Length of Time Criteria as set forth in the Plan.

REMOVAL OF PROPERTY FROM NEIGHBORHOOD REVITALIZATION AREA.

The Area described on the attached Exhibit B, which is the subject of a pending application for Tax Increment Financing, is removed from the Neighborhood Revitalization Area.

Section 2. The Amendment to Interlocal Agreement dated as of March 6, 2012 is hereby approved.

APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS ON THE 6TH DAY OF MARCH, 2012.

CITY OF JUNCTION CITY, KANSAS

By _____
Pat Landes, Mayor

ATTEST:

Tyler Ficken, City Clerk

EXHIBIT A

AREA NO. 1 TO BE KNOWN AS SPECIAL DISTRICT 22-1

**RUSSELL J JOHNSON/N OF RUCKER, BEING EAST OF HWY 77 AND WEST OF
DOC HARGREAVES ADDITIONS**

DESCRIPTION:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 5 EAST AND THAT PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN IN THE COUNTY OF GEARY, STATE OF KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF RUSSELL J. JOHNSON ADDITION TO THE CITY OF JUNCTION CITY; THENCE ON AN ASSUMED BEARING OF S 00°37'19" E ALONG THE WEST LINE OF SAID RUSSELL J. JOHNSON ADDITION AND THE WEST LINE OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 5 AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 1311.83 FEET TO THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF HUNTER'S RIDGE ADDITION UNIT NO. 1;

THENCE S 89°39'26" W ALONG SAID NORTHERLY LINE AND ITS EASTERLY PROLONGATION, A DISTANCE OF 223.50 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF RUCKER ROAD;

THENCE N 27°51'30" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 63.07 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE N 80°33'00" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77, A DISTANCE OF 350.78 FEET;

THENCE N 12°23'56" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 366.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 5654.65 FEET, AN ARC LENGTH OF 869.08 FEET, A CHORD BEARING OF N 00°21'19" W, AND A CHORD DISTANCE OF 868.23 FEET;

THENCE N 04°02'40" E CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2416.29 FEET;

THENCE S 63°23'35" E A DISTANCE OF 647.69 FEET;

THENCE S 04°02'40" W A DISTANCE OF 1151.97 FEET;

THENCE N 85°57'20" W A DISTANCE OF 284.12 FEET;

THENCE S 04°02'40" W A DISTANCE OF 520.31 FEET;

THENCE N 89°39'08" E A DISTANCE OF 315.13 FEET;

THENCE S 00°37'19" E A DISTANCE OF 241.62 FEET TO THE WESTERLY LINE OF DOC HARGREAVES HILLTOP ADDITION UNIT NO. 5;

THENCE S 46°12'15" W CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 73.88 FEET;

THENCE S 04°02'40" W CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 148.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NICOLE LANE;

THENCE N 89°39'08" E ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 65.92 FEET;
THENCE S 00°37'19" E A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

AND

LOT 1, BLOCK 2, TURKEY HOLLOW ADDITION TO JUNCTION CITY, KANSAS

AND

LOT 1, BLOCK 1, TURKEY RIDGE ADDITION TO JUNCTION CITY, KANSAS

AREA NO. 2 TO BE KNOWN AS SPECIAL DISTRICT 22-2:

ALTWEGG - EAST OF SALES BARN, NORTH OF ABANDONED SMOKY HILL RIVER CHANNEL

DESCRIPTION TRACT "A":

A TRACT OF LAND LOCATED IN NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 6 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS AND BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE ON AN ASSUMED BEARING OF N 00°33'40" W ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 555.05 FEET;

THENCE N 89°26'20" E A DISTANCE OF 73.32 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF EAST STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;

THENCE N 02°49'22" W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 19.38 FEET;

THENCE N 12°57'45" W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 229.01 FEET;

THENCE N 00°01'53" W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 449.62 FEET TO A POINT ON THE OLD MILITARY RESERVATION LINE;

THENCE S 52°46'27" E ALONG SAID OLD MILITARY RESERVATION LINE, A DISTANCE OF 1138.02 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 70;

THENCE S 42°04'24" W ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 135.02 FEET;

THENCE N 79°45'50" W ALONG THE TOP OF BANK OF THE ABANDONED SMOKY HILL RIVER CHANNEL, A DISTANCE OF 131.83 FEET;

THENCE S 85°59'08" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 63.61 FEET;

THENCE S 70°40'45" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 64.12 FEET;

THENCE N 82°13'45" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 53.44 FEET;

THENCE S 87°53'43" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 106.97 FEET;

THENCE N 83°38'41" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 109.53 FEET;
THENCE N 70°54'14" W, CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 254.75 FEET TO THE POINT OF BEGINNING. CONTAINS 8.46 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
END OF DESCRIPTION

DESCRIPTION TRACT "B":

A TRACT OF LAND LOCATED IN NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS AND BEING DESCRIBED AS FOLLOWS;
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF N 00°33'40" W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 621.05 FEET;
THENCE S 89°26'20" W A DISTANCE OF 177.70 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EAST STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;
THENCE N 69°15'52" W ALONG THE TOP OF BANK OF THE ABANDONED SMOKY HILL RIVER CHANNEL, A DISTANCE OF 490.66 FEET;
THENCE N 81°45'33" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 233.41 FEET;
THENCE S 86°23'47" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 229.98 FEET;
THENCE S 77°58'28" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 305.64 FEET;
THENCE N 86°03'52" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 158.92 FEET;
THENCE S 89°40'37" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 161.74 FEET;
THENCE S 83°14'50" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 214.68 FEET;
THENCE S 61°48'29" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 246.42 FEET;
THENCE S 74°16'59" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 138.37 FEET;
THENCE S 53°04'42" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 221.95 FEET;
THENCE S 28°33'58" W CONTINUING ALONG SAID TOP OF BANK, A DISTANCE OF 318.23 FEET TO A POINT WHICH IS ON THE EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF 1ST STREET;
THENCE S 89°17'34" W ALONG SAID EXTENDED RIGHT-OF-WAY LINE, A DISTANCE OF 43.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;
THENCE N 09°52'45" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 774.80 FEET TO THE SOUTHWEST CORNER OF THE SALE BARN ADDITION, AS RECORDED IN THE REGISTER OF DEEDS OFFICE, GEARY COUNTY, KANSAS;

THENCE N 89°29'45" E ALONG THE SOUTH LINE OF SAID SALE BARN ADDITION, A DISTANCE OF 297.45 FEET TO THE SOUTHEAST CORNER OF SAID SALE BARN ADDITION;
THENCE N 00°31'23" W ALONG THE EASTERLY LINE OF SAID SALE BARN ADDITION, A DISTANCE OF 686.40 FEET;
THENCE N 89°20'22" E CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 331.16 FEET;
THENCE N 00°31'23" W CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 243.15 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF US HIGHWAY 40, ALSO KNOWN AS 6TH STREET;
THENCE N 89°20'22" E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1092.93 FEET TO A POINT ON THE OLD MILITARY RESERVATION LINE;
THENCE S 52°46'27" E ALONG SAID OLD MILITARY RESERVATION LINE, A DISTANCE OF 852.57 FEET TO SAID WEST RIGHT-OF-WAY LINE OF EAST STREET;
THENCE S 00°01'53" E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 561.42 FEET;
THENCE S 15°13'40" W ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 187.79 FEET TO THE POINT OF BEGINNING. CONTAINS 52.33 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
END OF DESCRIPTION

NOTES: THE ABOVE TRACTS "A" AND "B" ARE THE SAME TRACTS OF LAND AS DESCRIBED IN DEED BOOK 99, PAGES 298-299 AND DEED BOOK 91, PAGE 1237.

AREA NO. 3 TO BE KNOWN AS SPECIAL DISTRICT NO. 22-3:

K-18 TO MIDDLE SCHOOL

DESCRIPTION:

A STRIP OF LAND OVER A PORTION OF THE SOUTH HALF OF SECTION 3 AND THE SOUTHEAST QUARTER OF SECTION 4 AND THE NORTH HALF OF SECTION 10 AND THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 SOUTH, RANGE 5 EAST, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING 1000 FEET WIDE LYING 500 FEET ON BOTH SIDES OF THE CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 3;

THENCE ALONG THE COMMON SECTION LINE OF SAID SECTION 3 AND SAID SECTION 10 TO THE SOUTHWEST CORNER OF SAID SECTION 3;

THENCE ALONG THE COMMON SECTION LINE OF SAID SECTION 4 AND SAID SECTION 9 TO SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 4, BEING THE POINT OF TERMINUS. THE SIDELINES OF THE ABOVE DESCRIBED STRIP OF LAND SHALL BE EXTENDED AND SHORTENED TO TERMINATE AT THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 4 AND THE WEST LINE OF SAID NORTHEAST CORNER OF SECTION 9.

AND

DESCRIPTION:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 5 EAST, COUNTY OF GEARY, STATE OF KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF N 07°35'15" E ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 508.83 FEET;

THENCE S 89°41'10" W ALONG A LINE PARALLEL AND 500 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 661.50 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S 89°41'10" W ALONG SAID LINE A DISTANCE OF 1976.99 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER;

THENCE N 07°34'39" E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 950.43 FEET;

THENCE N 77°57'39" E A DISTANCE OF 697.29 FEET;

THENCE S 39°02'29" E A DISTANCE OF 689.31 FEET;

THENCE S 39°43'46" E A DISTANCE OF 230.58 FEET;

THENCE S 70°06'17" E A DISTANCE OF 259.09 FEET;

THENCE S 54°53'18" E A DISTANCE OF 400.00 FEET;

THENCE S 20°40'22" E A DISTANCE OF 48.95 FEET TO THE POINT OF BEGINNING

EXHIBIT B

TO BE REMOVED FROM NRP: NE QUAD, HWY 77 & GOLDENBELT BLVD
LEGAL DESCRIPTION: (TIF DISTRICT)

A TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 5 EAST, A PART OF THE SOUTHWEST QUARTER OF SAID SECTION 15, AND A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, GEARY COUNTY, KANSAS BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 3, THE BLUFFS ADDITION TO JUNCTION CITY, KANSAS;

THENCE ON AN ASSUMED BEARING OF S 19°27'16" E ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF GOLDENBELT BOULEVARD, A DISTANCE OF 10.59 FEET; THENCE CONTINUING ON SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 494.14 FEET, A CHORD BEARING OF S 37°23'36" E, A CHORD DISTANCE OF 304.39 FEET, AN ARC DISTANCE OF 309.42 FEET;

THENCE N 85°05'08" W A DISTANCE OF 478.69 FEET;

THENCE S 13°26'25" W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 70, A DISTANCE OF 112.52 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 73°33'13" W A DISTANCE OF 442.40 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 00°00'53" E A DISTANCE OF 123.55 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 89°57'52" W A DISTANCE OF 108.05 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 65°32'47" W A DISTANCE OF 381.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 77;

THENCE N 00°28'39" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 406.64 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 24°28'06" W A DISTANCE OF 206.26 FEET TO A POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF JACK LACY DRIVE AND SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;

THENCE S 65°31'54" W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 205.42 FEET;

THENCE N 24°28'06" W A DISTANCE OF 123.82 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTHWIND DRIVE;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 340.00 FEET, A CHORD BEARING OF N 00°52'45" W, A CHORD DISTANCE OF 134.87 FEET, AN ARC DISTANCE OF 135.77 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 10°33'38" E A DISTANCE OF 55.01 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET, A CHORD BEARING OF N 01°38'03" W, A CHORD DISTANCE OF 194.34 FEET, AN ARC DISTANCE OF 195.81 FEET;

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N 27°59'04"
W A DISTANCE OF 118.61 FEET;
THENCE N 82°08'41" E A DISTANCE OF 370.84 FEET TO A POINT ON SAID EASTERLY
RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77;
THENCE S 00°47'20" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE
OF 217.74 FEET;
THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S 24°27'16" E
A DISTANCE OF 184.60 FEET TO A POINT OF INTERSECTION OF SAID EASTERLY
RIGHT-OF-WAY LINE OF U.S. HIGHWAY 77 WITH THE NORTHERLY RIGHT-OF-WAY
LINE OF GOLDENBELT BOULEVARD;
THENCE N 65°32'44" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF
GOLDENBELT BOULEVARD, A DISTANCE OF 172.73 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A
CURVE TO THE RIGHT HAVING A RADIUS OF 634.14 FEET, A CHORD BEARING OF N
85°55'01" E, A CHORD DISTANCE OF 441.49 FEET, AN ARC DISTANCE OF 450.93
FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 41°15'21"
E A DISTANCE OF 97.98 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A
CURVE TO THE RIGHT HAVING A RADIUS OF 724.14 FEET, A CHORD BEARING OF S
58°58'44" E, A CHORD DISTANCE OF 287.73 FEET, AN ARC DISTANCE OF 289.66
FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 14°45'04"
W A DISTANCE OF 80.29 FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A
CURVE TO THE RIGHT HAVING A RADIUS OF 654.14 FEET, A CHORD BEARING OF S
31°51'00" E, A CHORD DISTANCE OF 280.83 FEET, AN ARC DISTANCE OF 283.04
FEET;
THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 19°27'16"
E A DISTANCE OF 273.35 FEET TO THE POINT OF BEGINNING.
CONTAINS 26.22 ACRES, MORE OR LESS.
END OF DESCRIPTION

CITY OF JUNCTION CITY, KANSAS
Addition of Area to NRP and removal of
Edwards TIF Property from NRP
TIMELINE
Lathrop & Gage, LLP
January 18, 2012

Date	Responsible Party	Activity
By February 16, 2012 (next regular EDC Meeting)	KVE EDC City Attorney	KVE legal descriptions complete EDC has completed basis for findings to include properties in NRP Finalize Draft of Resolution to Amend Plan by (a) Add Property – include basis for findings supplied by EDC and (b) allow City to remove Edwards AutoPlaza TIF Property by Resolution of the Edwards Auto Plaza TIF Plan is approved. Finalize Draft of Interlocal Agreement to Amend Plan
February 16, 2012, regular EDC meeting	EDC	EDC consider proposed amendments to plan for recommendation to City Commission
February 20, 2012 Regular City Commission Meeting	City Commission	City Commission adopts Resolution to hold a public hearing to consider amend NRP Proposed Amendment in Resolution on file with City Clerk
February 24, 2012	City Clerk	First Publication of Resolution setting public hearing
March 2, 2012	City Clerk	Second Publication of Resolution setting public hearing
March 6, 2012 Regular City Commission Meeting	City Commission City/EDC Staff	Public Hearing to consider amending the NRP by (a) adding property and making findings required by NRP Act based upon "evidence" presented by City Staff and (b) allow City to remove Edwards Auto Plaza property if TIF

		approved
		City Commission adopt Resolution to Amend Plan
		City Commission adopt Resolution to approve Interlocal Agreement to Amend the Plan and execute ILA
After March 6, 2012	County Commission and USD 475	Each adopt Resolution to approve Interlocal Agreement to Amend the Plan by Adding Property and execution by each of ILA

Backup material for agenda item:

- b. Consideration to receive donation of Animal Shelter quarantine building, and approve location at the Animal Shelter. Lisa Junghans presenting.

City of Junction City

City Commission

Agenda Memo

2-28-12

From: Lisa Junghans, Animal Shelter Director
To: Gerry Vernon, City Manager, City Commission
Subject: **Quarantine Building**

Objective: To put an animal quarantine building on the premises of the animal shelter

Explanation of Issue: The state inspector from Kansas Department of Agriculture has routinely spoke of the need of a quarantine building at the animal shelter and has made several indications that it will be required in the near future. Once the state inspector mandates that the quarantine area be built, she will only give 30 days to comply and can revoke the animal shelter license and fine the city and county if we do not comply. A donation of a building that is heated and air conditioned has been made available to us. Also those who are donating the building will donate any electrical, concrete, labor and any other requirements needed to meet the State standards.

Budget Impact: There is no impact to the budget.

Alternatives:

1. Approve, Disapprove, Modify, Table

Special Considerations:

Recommendation: It is recommended that the donation be accepted.

Enclosures: Photos of the building and the area where the building would be placed.

New fence
w/ corner Post set
in concrete.

New gate
New fence
to close off
closer for Cpt.
area.

Fill dirt to grade
concrete side walk as
needed for Bld.

Cabin in fenced off area.

Shelter Bld







Backup material for agenda item:

- c. Consideration of Award of Bid to the lowest and most qualified bid to J & K Contracting, LC for the Riverwalk Landing Storm Sewer Improvements and approval of related construction easements. Assistant City Manager McCaffery presenting.

City of Junction City

City Commission

Agenda Memo

March 6, 2012

From: Gregory S. McCaffery, Assistant City Manager
To: Gerry Vernon, City Manager and City Commissioners
Subject: Award of Bid – Riverwalk Landing Storm Sewer Improvement Project and Approval of Related Construction Easements

Objective: Award of Bid to lowest and most qualified bid from J & K Contracting, LC for the Riverwalk Landing Storm Sewer Improvement Project and Approval of Related Construction Easements.

Explanation of Issue: The City in August 2005 entered into a development agreement, whereby the City agreed to development and maintain a “Pond” for use by one of the adjacent property owner's for use in demonstrating and testing boats., in additional to recreational public uses Further the City agreed to maintain a minimum of six (6) acres of surface water for the Pond and was to of provided liners/ sealants as well as well pumps, for the Pond to reasonably retain water.

Over the last several years the City has maximized the water rights allotment through the well system installed for this Pond, and also completed various liner improvements in and around the boat ramp in order to ensure retaining the water in the Pond.

KAW Valley Engineering (KVE) in August 2011, completed a hydrologic cycle study of the drainage areas in and around the Pond, and provided three recommendations to the City Commission, in order to supplement the Pond existing elevation and the available well pumping volumes. These included; an additional pump system; purchase of additional water rights; and the installation of a gravity storm system, with each option re-diverting storm water runoff to the Pond. The City elected to proceed through KVE on the design/ construction of a gravity storm system in order to supplement the water needs for the Pond.

KVE has designed a system which re-diverts storm water from within the drainage area of Ash Street, which cuts through various private properties, which will require various public storm sewer and temporary construction easements.

Bids were advertised within The Daily Union newspaper and also on the City's website. A bid opening was held on February 24, 2012, with the bids summarized below:

Bidder	Bid Amount
*J & K Contracting, LC	\$128,600.00
Smoky Hill, LLC	\$184,781.25
Ebert Construction Co., Inc.	\$189,615.71

* Low bidder, with an engineer's estimate at \$139,530.00, or low bid being \$10,930 below the engineer's estimate.

Budget Impact: These storm improvements will be paid for through the City Storm Fund.

Special Considerations: No other individuals and/ or firms objected to the bid as submitted.

Alternatives: The Commission may approve, deny, or postpone this item.

Recommendation: Staff recommends approval of the Award of Bid to J & K Contracting, LLC, of Junction City, KS for the Riverwalk Landing Storm Sewer Improvements, in an amount not to exceed \$128,600.00. Further, it is recommended that the enclosed permanent and temporary easements be approved to form, and made apart of the overall project approval.

Suggested Motion:

Commissioner _____ moves to approve Award of Bid to _____.

Commissioner _____ seconded the motion.

Enclosures

BID TABULATION SHEET

KAW VALLEY ENGINEERING, INC.
2019 Main Street, P.O. Box 1504
Junction City, KS 66441
Tel: 785-762-5040

STORM SEWER IMPROVEMENTS TO SERVE THE CITY OF JUNCTION CITY
JUNCTION CITY, KANSAS

Project No.: A110567
Date: February 24, 2012
Page: 1 of 1

Item	Qty	Unit	Engineer's Estimate		J & K Contracting, LLC		Smoly Hill, LLC		Ewert Construction Co. Inc.		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price						
1. Ditching	1	L.S.	\$12,000.00	\$12,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$14,144.88	\$14,144.88		\$0.00				
2. Curb and Gutter	61	L.F.	\$20.00	\$1,220.00	\$20.00	\$1,220.00	\$28.75	\$1,753.75	\$22.66	\$1,382.26		\$0.00				
3. Asphalt Paving	750	S.Y.	\$30.00	\$22,500.00	\$30.00	\$22,500.00	\$32.00	\$24,000.00	\$29.25	\$21,937.50		\$0.00				
4. 36" HDPE	751	L.F.	\$80.00	\$60,080.00	\$80.00	\$60,080.00	\$121.00	\$90,871.00	\$105.20	\$79,005.20		\$0.00				
5. Handwall	1	En.	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00	\$3,600.00	\$3,600.00	\$2,949.84	\$2,949.84		\$0.00				
6. DSD = 12" Rip Rap	38	Tons	\$60.00	\$2,280.00	\$70.00	\$2,660.00	\$67.00	\$2,546.00	\$80.16	\$2,805.60		\$0.00				
7. Flume	6	S.Y.	\$50.00	\$300.00	\$150.00	\$900.00	\$109.00	\$654.00	\$54.71	\$328.26		\$0.00				
8. 6 Diameter Sewer Manholes	3	En.	\$2,800.00	\$8,400.00	\$4,000.00	\$12,000.00	\$5,400.00	\$16,200.00	\$4,095.77	\$12,287.31		\$0.00				
9. Connect to Existing Manhole	1	L.S.	\$6,500.00	\$6,500.00	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00	\$4,336.26	\$4,336.26		\$0.00				
10. Concrete Sidewalk	8	S.Y.	\$45.00	\$360.00	\$7.50	\$60.00	\$55.50	\$444.00	\$88.28	\$706.24		\$0.00				
11. Traffic Control	1	L.S.	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00	\$11,382.32	\$11,382.32		\$0.00				
12. Street Repair	61	S.Y.	\$7.50	\$457.50	\$50.00	\$3,050.00	\$64.50	\$4,030.50	\$222.22	\$13,599.66		\$0.00				
13. Mobilization	1	L.S.	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$24,750.00	\$24,750.00	\$16,183.29	\$16,183.29		\$0.00				
14. Erosion Control	1	L.S.	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$3,862.24	\$3,862.24		\$0.00				
15. Seeding	1	L.S.	\$1,500.00	\$1,500.00	\$4,000.00	\$4,000.00	\$1,600.00	\$1,600.00	\$4,194.65	\$4,194.65		\$0.00				
TOTAL BID USING ASPHALT SURFACING				\$119,430.00		\$128,600.00		\$184,781.25		\$189,615.71		\$0.00				

River Walk Landing Storm Improvements

**Presented to
Junction City Commission
March 6, 2012**



Option 1-Diversion

- No pumping
- No annual recurring maintenance costs
- Depends on Rainfall and Construction Easements

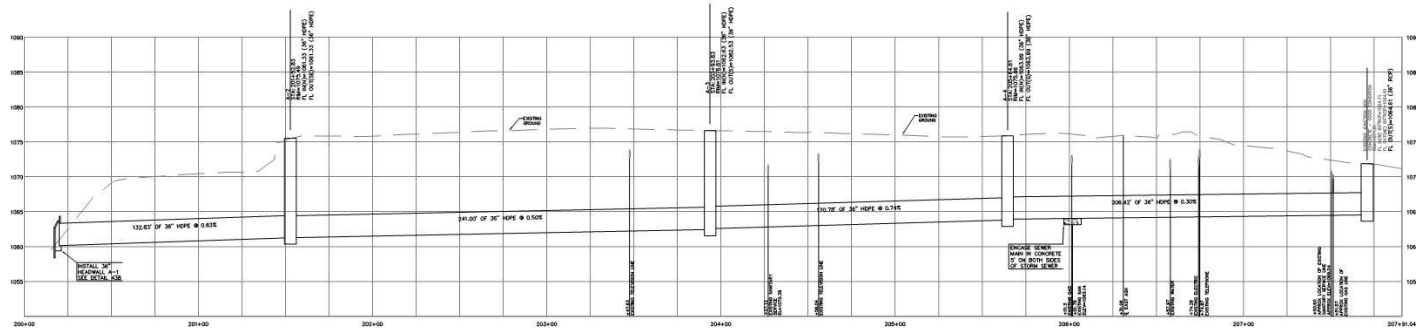
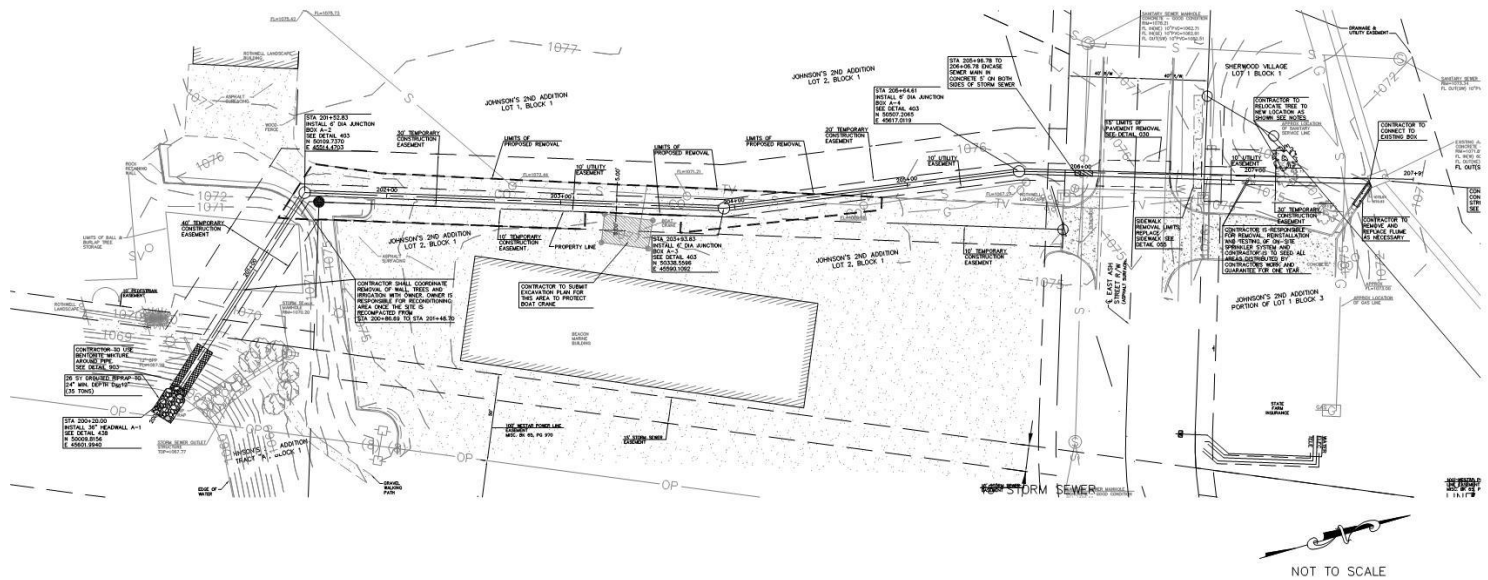
Option 2-Pump

- Owner to adjust level as required
- Recurring maintenance costs
- Approval from State required

Option 3- Purchase Annual Water Rights

- Owner to adjust level as required
- Price of Annual Water Rights must be negotiated

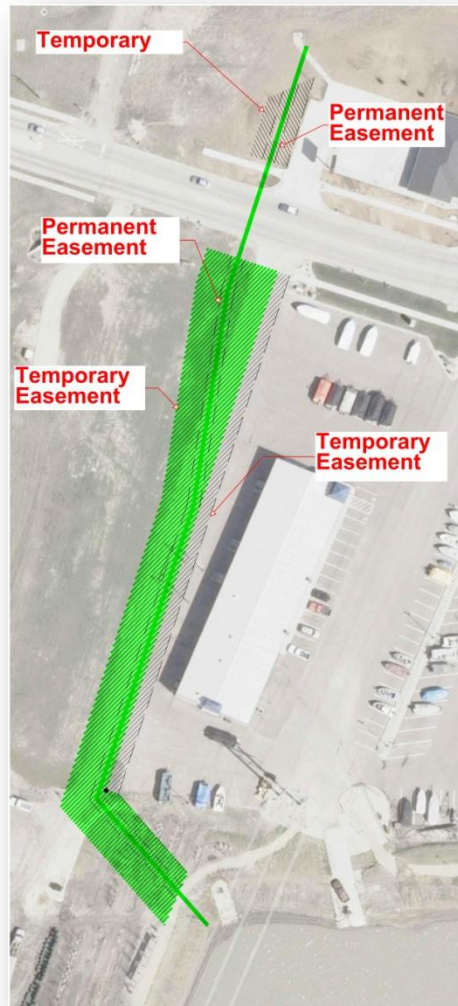
Original Option 1, Final Design and Option 2



KAW VALLEY ENGINEERING, INC.
CONSULTING ENGINEERS - LAND SURVEYORS
2319 NORTH JACKSON | P.O. BOX 1304
JUNCTION CITY, KANSAS 66441
PH. (785) 762-5040 | FAX (785) 762-7744
jc@kveg.com | www.kveg.com

FEBRUARY 28, BKR
5577EXBG





Easements Required

JKJ Rental, LLC

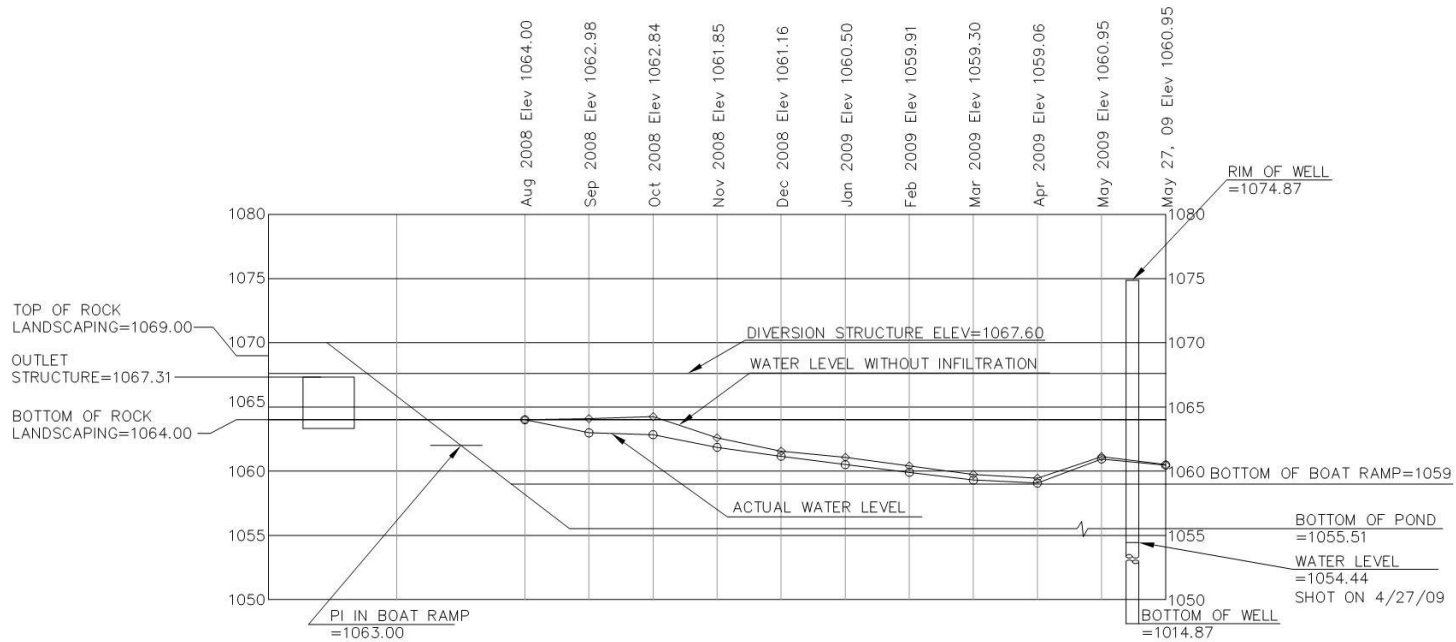
- 10' Permanent Easement
- 30' Construction Easement

Rothwell Landscape

- 30' Construction Easement
- 10' Permanent Easement

Beacon Marine

- 10' Construction Easement



CROSS SECTION DETAIL
NO SCALE



KAW VALLEY ENGINEERING, INC.
CONSULTING ENGINEERS - LAND SURVEYORS
2319 NORTH JACKSON | P.O. BOX 1304
JUNCTION CITY, KANSAS 66441
PH. (785) 762-5040 | FAX (785) 762-7744
jc@kveng.com | www.kveng.com

FEBRUARY 28, BKR
5577EXBH





Current inlet Flume into Box



Excavation Area – North of Ash Street



Excavation of Ash Street – Looking South



Excavation Area – Parallel to Driveway



Wall Area



Maximum Pond Elevation



KAW VALLEY ENGINEERING

RIVER WALK LANDING: HYDROLOGIC CYCLE STUDY

Prepared For:

**CITY OF JUNCTION CITY, KANSAS
MUNICIPAL BUILDING
7TH AND JEFFERSON STREETS
POST OFFICE BOX 287
JUNCTION CITY, KANSAS 66441**

Prepared By:

**KAW VALLEY ENGINEERING, INC.
2319 N. JACKSON STREET
POST OFFICE BOX 1304
JUNCTION CITY, KANSAS 66441
TELEPHONE: (785) 762-5040**

August 15, 2011
A04D1964

Consulting Engineers

Option 1 – Divert Ash Street Storm Sewer

This option consists of constructing a 36" RCP from the Ash Street storm sewer network just west of the intersection of Ash Street and the Union Pacific Railroad that would divert additional storm water runoff to the River Walk Landing pond.

Water Supplied

- Additional watershed area = 155.0 acres
- 1 inch rainfall would raise pond = 0.19 feet
- Yearly rainfall would raise pond = 6.18 feet

*An average rainfall was assumed to be equal to a cumulative 1 inch of rainfall over the duration of the storm event. Each storm was also assumed to be a singular event separate from any subsequent or concurrent events.

Requirements

- 750' of 36" RCP and 1 end section
- 2 - 4'x5' junction boxes
- Retrofit existing manhole at point of diversion with a 36" partition wall to redirect the storm water
- Erosion control measures on pond slope

Advantages

- The storm water does not require pumping to enter pond.
- There will be no recurring or maintenance costs after initial construction costs

Disadvantages

- The proposed storm sewer line will have to be constructed under Ash Street by open cutting the road

Estimation of Probable Cost

- Total Estimated Project Cost = \$84,200

Option 2 – Pump Surface Water from Smokey Hill River Channel

This option consists of constructing a pump station and force main to withdraw water from the Republican River channel and deposit it in the River Walk Landing pond. The force main would run under Ash Street and along Gunner road.

Pump requirements

500 gpm pump	
Initial fill time raise pond 5-6 feet	= 15 days
Operation time to maintain pond level	= 2 to 4 hours per day

Requirements

- 1200' of 6" force main
- Grinder pump, equipment box, intake line, screens and supports
- Boring and casing under Ash Street
- Open cut Gunner Street
- Provide electrical service

Advantages

- Owner may pump and adjust water surface elevation at will

Disadvantages

- There will be recurring electrical and maintenance cost associated with the pump station

Estimation of Probable Cost

- Total Estimated Project Cost = \$80,450

Option 3 – Purchase Water Rights

This option consists of purchasing permanent water rights in the amount that is lost to evaporation and infiltration to maintain optimal water surface elevations.

Water needed

Initial Pond level	= 1061.0
Required Pond Level	= 1065.0
Average Surface Area	= 5.5 acres
Volume of water initial fill	= 22.63 acre feet of water
Volume for periodic fill	= 27.5 (fill pond additional 5 feet during the year)

Recommended Water Right Purchase = 50 acre feet

Requirements

- Purchasing of water rights

Advantages

- Owner may pump and adjust water surface elevation at will

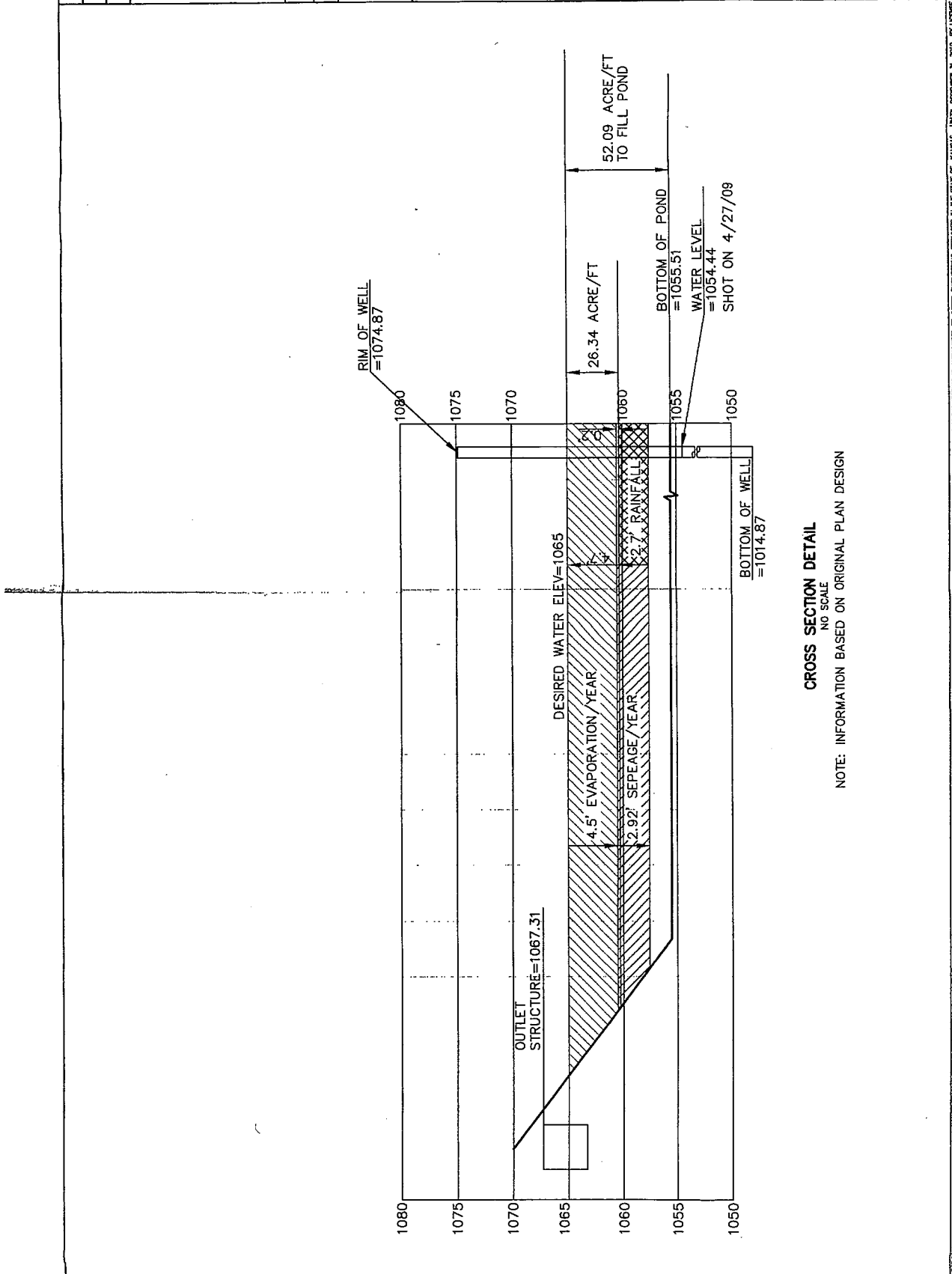
Disadvantages

- Water right purchase price will have to be negotiated and may turn out to be more costly than other options

Estimation of Probable Cost

- Total Estimated Project Cost = To be determined in negotiations for water rights

WATER NEEDS RIVERWALK LANDING ASH STREET AND GUNNER ROAD JUNCTION CITY, KANSAS		REV DATE DESCRIPTION		DSN DWN CHK	
K&V VALLEY ENGINEERING, INC. - CONSULTING ENGINEERS 1000 NORTH ANDERSON SUITE 100 JUNCTION CITY, MO 64401 816-223-7744 www.kvvalley.com		1000 NORTH ANDERSON SUITE 100 JUNCTION CITY, MO 64401 816-223-7744 www.kvvalley.com		1000 NORTH ANDERSON SUITE 100 JUNCTION CITY, MO 64401 816-223-7744 www.kvvalley.com	



DEVELOPMENT AGREEMENT

THIS AGREEMENT made and entered into this 8th day of August, 2005, by and between **RUSSELL M. JOHNSON**, an individual of Junction City, Kansas ("Johnson"), **THE CITY OF JUNCTION CITY, KANSAS**, a Kansas municipal corporation ("City"), **BRIGGS AUTO GROUP, INC.**, a Kansas corporation with its principal offices in Manhattan, Kansas ("Briggs"), **BOTTGER'S MARINE, INC.**, a Kansas corporation with its principal offices in Manhattan, Kansas ("Bottger's"), and **ROTHWELL PROPERTY MANAGEMENT, L.C.**, a Kansas limited liability company with its principal offices in Junction City, Kansas ("Rothwell"), (Briggs, Bottger's and Rothwell being sometimes collectively referred to as the "Businesses" and individually as a "Business").

RECITALS:

A. Pursuant to an Agreement Regarding Dedication of Rights-of-way dated September 21, 2004 (the "2004 Agreement"), Johnson, the City, and PYC, Inc., a Kansas corporation ("PYC"), made certain agreements regarding the grant and dedication by Johnson and PYC of certain rights-of-way and easements for the extension of the public street known as Ash Street and the construction and operation of certain other public improvements over and across certain land located within the corporate limits of the City.

B. Johnson has acquired the land described on the attached Exhibit "A" which was the subject of the 2004 Agreement and which he has now platted as "Johnson's 2nd Addition to Junction City, Kansas" (the "Land"). Johnson desires to proceed with the development of the Land into a retail sales and service and commercial project as contemplated by the 2004 Agreement (the "Project"). Construction of the Ash Street Extension by the City will require the City to acquire and bring to the site a substantial amount of dirt and fill material, and perform drainage control grading. Johnson has agreed to convey to the City a parcel within the Land from which the City's contractors may remove soil and other borrow material.

C. Each of the Businesses have agreed with Johnson to acquire building lots within the Project for improvement, development and operation as retail sales and service facilities. The City, Johnson and the Businesses desire to enter into a detailed agreement regarding the development and use of the Project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, the parties mutually agree as follows:

3. **ACCESS RIGHTS.** During the course of construction of the Public Improvements, the City and its various contractors, employees, and agents shall have the right from time to time to enter upon and travel across any and all portions of the Land so as to gain access to the Borrow Area for purposes of excavating and removing soil and fill material from the Borrow Area under the authority of this Agreement. The City and each of its contractors, employees, and agents who enter upon the Land and the Borrow Area under the authority of this Agreement shall be deemed to have fully released Johnson and his successor owners to the Land, including the Businesses, from any liability or responsibility for any injuries or deaths to persons or damage to property. Furthermore, the City hereby agrees to fully indemnify and hold Johnson and the successor owners of the Land harmless from and against any liabilities, claims, demands, judgments, suits, penalties, fines, liens, costs and expenses (including attorney's fees and litigation costs) which Johnson or such successor owners may suffer or incur, or which the Land may become subject to or encumbered by, as a result of any activity on the Land and the Borrow Area by the City, its contractors, employees, or agents, including, without limitation, those arising from injuries or deaths to person or damage to property, by reason of unpaid obligations for work performed or materials delivered, or as a result of any noncompliance with any applicable laws or regulations. The foregoing indemnity obligation shall survive completion of the Project and performance of the City's obligations under this Agreement.

4. **CITY'S OBLIGATIONS.** The City agrees and shall be obligated as follows in connection with the Project:

A. **Grading of Borrow Area and Creation of Public Recreational Pond.** Upon completion of removal of soil and fill from the Borrow Area, the City shall (i) properly grade the sides of the pit created on the Borrow Area to a uniform grade and shall apply and install such liners or commercial sealants as are reasonable necessary in order for the borrow pit to retain water, (ii) drill, case, install and make operational a water well with electrical service pumps and lines and related apparatus within the Borrow Area adequate to keep the pit pumped full of water, and (iii) at all times thereafter maintain the Borrow Area as an attractive and useful body of water and as a public recreational facility (the "Pond"). The City shall expend no more than Two Hundred Thousand Dollars (\$200,000.00) in landscaping and aesthetic enhancements and improvements

to the Pond, pursuant to professionally prepared landscaping and improvement plans which shall be prepared by the City to its satisfaction and submitted to each of the Businesses for their approval in accordance with Section 6.E. (the "Pond Plans"). The construction, improvement and landscaping of the Pond shall be completed by the City no later than November 1, 2006. At all times after completion the Pond shall be maintained by the City at a size of no less than six (6) acres of surface water and shall not be filled in, abandoned or reduced in size, and the City at its expense shall properly maintain the Pond and its landscaping and improvements so that the Pond is attractive in appearance and commensurate with the quality of the facilities to be built and operated by Businesses within the Project.

B. Additional Drainage, Fill and Grading Work to Adjoining Land. So as to enhance and control the proper drainage of storm water runoff in, around and near the Ash Street right-of-way, the City shall also be obligated to haul and compact soil and fill material and grade that part of the Land which adjoins the southerly side of the right-of-way for the Ash Street Extension and that part which adjoins the northerly side of the Ash Street Extension right-of-way. The perimeter lines or limits of the areas of the Land to be graded by the City are identified and depicted on the Site and Grading Plan attached as Exhibit "B". All such drainage control and grading work (the "Fill and Grading Work") shall be completed so as to properly elevate the surface to an elevation equal to or no more than one (1) foot below the applicable 100 year flood-plain level, with a uniform grade but with positive drainage away from Ash Street and leaving those portions of the adjoining Land depicted and specified on the Site and Grading Plan attached as Exhibit "B" suitable for development. In performing the Fill and Grading Work, all of such fill material and soil shall be spread and compacted in gradient levels so that it has been properly compacted and is suitable for construction of buildings and other improvements thereon, all in accordance with generally accepted construction and engineering practices and standards and following compaction and grading plans and designs prepared by an experienced engineering firm acceptable to Johnson and the City. The Fill and Grading Work shall be performed and completed concurrently with the

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That this Permanent Drainage Easement (this "Easement"), made and entered into this _____ day of _____, 2012, by and between JKJ Rental, LLC, hereinafter the Grantor, owner of property herein described, and the CITY OF JUNCTION CITY, a municipal corporation in the County of Geary, State of Kansas, hereinafter the Grantee.

WITNESSETH: That in consideration of the sum of \$1 and other valuable considerations, receipt and sufficiency of which are hereby acknowledged, and of the benefits to be derived from the construction and maintenance of a storm drainage facility in the following described premises (the "Easement Area"), the Grantor does convey to the Grantee forever a perpetual **easement over, under and through the Easement Area for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility tributary connections and appurtenances thereto in any part of the easement (collectively, the "Drainage Facility")**, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility within the area of the easement, together with the right of access to the easement and over the easement for those purposes, to wit:

SEE ATTACHMENT "A"

THIS EASEMENT is executed and delivered and said easement is granted upon the following conditions, to wit:

1. The Grantor, his/her/its heirs, executors, administrators, successors and assigns, hereby releases the Grantee, its agents and employees, assigns and successors from any and all liability for damage to the remaining lands resulting from this conveyance, and construction and maintenance of the drainage facility, provided the Grantee, its agents and employees, assigns and successors shall, as soon as practicable, after construction of the drainage facility and all subsequent alterations and repairs thereto, restore all property of the Grantor to a neat and presentable condition. This obligation of Grantee will include, but not be limited to, re-seeding of disturbed grassy surface areas and re-grading of disturbed surface areas.
2. It is understood by the Grantor that the drainage facility constructed hereunder shall, in every respect be a public drainage facility as if laid in one of the dedicated streets of the CITY OF JUNCTION CITY, KANSAS, and all the property abutting thereon shall have the right to connect therewith under the same conditions as if the drainage facility were in a public street; and the CITY OF JUNCTION CITY, KANSAS, or any abutting property owners, upon permit from the Grantee herein, shall have the right at all times to enter upon the described premises

for the purpose of making any necessary repairs to or renewals for replacements of the drainage facility.

3. The rights granted herein shall not be construed to interfere with or restrict the Grantor, his/her/its heirs, executors, administrators, successors and assigns from the use of the premises with respect to the construction and maintenance of property improvements along and over the premises herein described so long as the same are so constructed as not to impair the strength or interfere with the use and maintenance of said drainage facility.

This easement shall run with the land and apply to all interests now owned or hereafter acquired to the above-described property. It shall be filed of record with the Register of Deeds, Geary County, Kansas.

IN WITNESS WHEREOF, the Grantor has entered into this Easement to be effective as of the date first set forth above.

JKJ Rental, LLC

By: _____
Print Name: _____
Title: _____

STATE OF KANSAS, COUNTY OF GEARY, SS:

The foregoing Permanent Drainage Easement was acknowledged before me this ____ day of _____, 2012 by _____, the _____ of JKJ Rental, LLC.

Notary Public

My Commission Expires:

[Attachment "A" Follows]

Attachment "A"

Legal Description of JKJ Rental Easement Area

A STRIP OF LAND OVER A PORTION OF LOT 1, BLOCK 3, JOHNSON'S 2ND ADDITION IN THE CITY OF JUNCTION CITY, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING FOR CONSTRUCTION EASEMENT PURPOSES ONLY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1;
THENCE ON A PLATTED BEARING OF S 71°47'17" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF EAST ASH STREET, A DISTANCE OF 40.29 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED;
THENCE N 17°19'08" E A DISTANCE OF 55.72 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1;
THENCE N 65°39'14" E, ALONG SAID NORTH LINE, A DISTANCE OF 13.39 FEET;
THENCE S 17°19'08" W A DISTANCE OF 64.78 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE;
THENCE N 71°47'17" W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. CONTAINS 602.48 SQUARE FEET.
END OF DESCRIPTION

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That this Permanent Drainage Easement (this "Easement"), made and entered into this _____ day of _____, 2012, by _____ and _____ between

hereinafter the Grantor, owner of property herein described, and the CITY OF JUNCTION CITY, a municipal corporation in the County of Geary, State of Kansas, hereinafter the Grantee.

WITNESSETH: That in consideration of the sum of \$2,500 and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, and of the benefits to be derived from the construction and maintenance of a storm drainage facility in the following described premises (the "Easement Area"), the Grantor does convey to the Grantee forever a perpetual **easement over, under and through the Easement Area for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility tributary connections and appurtenances thereto in any part of the easement (collectively, the "Drainage Facility")**, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility within the area of the easement, together with the right of access to the easement and over the easement for those purposes, to wit:

SEE ATTACHMENT "A"

THIS EASEMENT is executed and delivered and said easement is granted upon the following conditions:

1. The Grantor, his/her/its heirs, executors, administrators, successors and assigns, hereby releases the Grantee, its agents and employees, assigns and successors from any and all liability for damage to the remaining lands resulting from this conveyance, and construction and maintenance of the drainage facility, provided the Grantee, its agents and employees, assigns and successors shall, as soon as practicable, after construction of the drainage facility and all subsequent alterations and repairs thereto, restore all property of the Grantor to a neat and presentable condition. This obligation of Grantee will include, but not be limited to, re-seeding of disturbed grassy surface areas and making repairs and replacements, as the circumstances call for, of any entrance drives damaged during the course of Grantee's exercise of its rights under this Easement.
2. It is understood by the Grantor that the drainage facility constructed hereunder shall, in every respect be a public drainage facility as if laid in one of the dedicated streets of the CITY OF JUNCTION CITY, KANSAS, and all the property abutting thereon shall have the right to connect therewith under the same conditions as if the drainage facility were in a public street;

and the CITY OF JUNCTION CITY, KANSAS, or any abutting property owners, upon permit from the Grantee herein, shall have the right at all times to enter upon the described premises for the purpose of making any necessary repairs to or renewals for replacements of the drainage facility.

3. The rights granted herein shall not be construed to interfere with or restrict the Grantor, his/her/its heirs, executors, administrators, successors and assigns from the use of the premises with respect to the construction and maintenance of property improvements along and over the premises herein described so long as the same are so constructed as not to impair the strength or interfere with the use and maintenance of said drainage facility. Grantee expressly agrees that, once the Drainage Facility is constructed and installed, Grantor may pave over the surface of the Easement Area.
4. Grantor covenants that it will, within days following its execution of this Easement, remove from and clear the Easement Area of all surface and subsurface obstacles and any other hindrances to the Grantee's constructing the Drainage Facility. As reimbursement for Grantor's efforts and expenses to clear the Easement Area, Grantee will pay to Grantor the sum of \$3,540, which sum is due and payable following Grantor's completion of the clearing of the Easement Area.
5. Grantor and Grantee expressly agree that Grantor may, at Grantor's sole cost and expense, and subject to all laws, rules, and regulations governing the same, tie into and use the Drainage Facility for the benefit of Grantor's property on which the Drainage Facility is located.
6. At all times during which the Grantee is on the Grantor's property pursuant to this Easement, Grantee will exercise its best efforts to avoid obstructing the access of Grantor, its agents, contractors, and invitees, to the real property abutting the Easement Area.

This easement shall run with the land and apply to all interests now owned or hereafter acquired to the above-described property. It shall be filed of record with the Register of Deeds, Geary County, Kansas.

[Signature Pages Follow]

Attachment "A"

Legal Description of Easement Area

A STRIP OF LAND OVER A PORTION OF LOT 1, BLOCK 1, JOHNSON'S 2ND ADDITION IN THE CITY OF JUNCTION CITY, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING FOR UTILITY EASEMENT PURPOSES ONLY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1;
THENCE ON A PLATTED BEARING OF N 71°47'17" W, ALONG THE SOUTH RIGHT-OF-WAY LINE OF EAST ASH STREET, A DISTANCE OF 27.84 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED;
THENCE S 17°19'08" W A DISTANCE OF 26.01 FEET;
THENCE S 09°03'49" W A DISTANCE OF 170.82 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1;
THENCE S 18°17'30" W, ALONG SAID EAST LINE AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 238.55 FEET;
THENCE S 41°12'57" E A DISTANCE OF 92.32 FEET TO A POINT ON THE WEST LINE OF TRACT "A", BLOCK 1 OF SAID JOHNSON'S 2ND ADDITION;
THENCE S 23°48'02" W, ALONG SAID WEST LINE, A DISTANCE OF 11.03 FEET;
THENCE N 41°12'57" W A DISTANCE OF 102.70 FEET;
THENCE N 18°17'30" E, PARALLEL TO AND 10.00 FEET WEST OF SAID EAST LINE OF SAID LOT 1, A DISTANCE OF 243.45 FEET;
THENCE N 09°03'49" E A DISTANCE OF 170.74 FEET;
THENCE N 17°19'08" E A DISTANCE OF 26.88 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE;
THENCE S 71°47'17" E, ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. CONTAINS 5,357.37 SQUARE FEET.
END OF DESCRIPTION

GRANT OF TEMPORARY CONSTRUCTION EASEMENT

STATE OF KANSAS, COUNTY OF GEARY, SS:

For and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned ("Grantor") hereby grants to the City of Junction City, Kansas, a municipal corporation located in Geary County, Kansas, and its successors and assigns, a temporary construction easement over, under, and through the following described real estate for the purpose of constructing a culvert, storm sewer, drainage ditch, or other drainage facility tributary connections and appurtenances thereto (collectively, the "Drainage Facility"):

See attached legal description on Exhibit "A,"

together with the right of ingress and egress for all purposes incident to said grant.

This temporary construction easement is granted on the following terms and conditions:

1. Grantor will exercise its best efforts to ensure Grantee's exercise of rights under this Easement will not interfere with Grantor's access to and use of its property.
2. Grantee will repair and replace, as the case may be, all portions of Grantor's property following the construction and installation of the Drainage Facility to ensure that the Grantor's property (including, but not limited to, the access drive and parking areas on Grantor's property) is returned to a substantially similar condition as it existed prior to the construction of the Drainage Facility.

This Easement shall run for the construction period, beginning on the date of execution of this document and terminating ninety days after completion of construction of the Drainage Facility; provided, however, that, if not sooner terminated, this Easement will expire on September 1, 2012.

[Signature Page Follows]

IN WITNESS WHEREOF:

The Grantor herein, has caused to be executed this instrument this _____ day of _____, 2012.

Beacon Marine, Inc.

By: _____
Print Name: _____
Title: _____

STATE OF KANSAS, COUNTY OF GEARY, SS:

The foregoing Grant of Temporary Construction Easement was acknowledged before me this _____ day of _____, 2012 by _____, the _____ of Beacon Marine, Inc.

Notary Public

My Commission Expires:

Exhibit "A"

Legal Description of Beacon Marine Temporary Construction Easement Area

A STRIP OF LAND OVER A PORTION OF LOT 2, BLOCK 1, JOHNSON'S 2ND ADDITION IN THE CITY OF JUNCTION CITY, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES ONLY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2;

THENCE ON A PLATTED BEARING OF S 71°47'17" E ALONG THE SOUTH RIGHT-OF-WAY LINE OF EAST ASH STREET, A DISTANCE OF 10.00 FEET;

THENCE S 18°17'30" W, PARALLEL TO AND 10.00 FEET EAST OF THE WEST LINE OF SAID LOT 2, A DISTANCE OF 427.50 FEET;

THENCE S 41°12'57" E A DISTANCE OF 0.32 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2;

THENCE N 71°42'30" W, ALONG SAID SOUTH LINE, A DISTANCE OF 10.27 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;

THENCE N 18°17'30" E ALONG SAID WEST LINE, A DISTANCE OF 427.64 FEET TO THE POINT OF BEGINNING. CONTAINS 4276.51 SQUARE FEET

END OF DESCRIPTION

GRANT OF TEMPORARY CONSTRUCTION EASEMENT

STATE OF KANSAS, COUNTY OF GEARY, SS:

For and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned ("Grantor") hereby grants to the City of Junction City, Kansas, a municipal corporation located in Geary County, Kansas, and its successors and assigns, a temporary construction easement over, under, and through the following described real estate for the purpose of constructing a culvert, storm sewer, drainage ditch, or other drainage facility tributary connections and appurtenances thereto (collectively, the "Drainage Facility"):

See attached legal description on Exhibit "A,"

together with the right of ingress and egress for all purposes incident to said grant.

This temporary construction easement is granted on the following terms and conditions:

1. Grantee will repair and replace, as the case may be, all portions of Grantor's property following the installation of the Drainage Facility to ensure that the Grantor's property is returned to a substantially similar condition as it existed prior to the construction of the Drainage Facility. This obligation will include, but not be limited to, re-grading and re-seeding disturbed ground on Grantor's property.
2. Grantee will transplant to a location on Grantor's property of Grantor's choosing any trees that Grantee removes in connection with the construction of the Drainage Facility. In addition, Grantee guarantees the well-being of the transplanted trees for a period of one year following the expiration or earlier termination of this Easement; provided, however, that Grantee will not replace any transplanted trees that fail on account of the Grantor's failure to water and perform ordinary maintenance on such trees. In that regard, Grantor will have no obligation to perform any maintenance or upkeep with respect to the transplanted trees.

This Easement shall run for the construction period, beginning on the date of execution of this document and terminating ninety days after completion of construction of the Drainage Facility; provided, however, that, if not sooner terminated, this Easement will expire on September 1, 2012.

[Signature Page Follows]

IN WITNESS WHEREOF:

The Grantor herein, has caused to be executed this instrument this _____ day of _____, 2012.

JKJ Rental, LLC

By: _____
Print Name: _____
Title: _____

STATE OF KANSAS, COUNTY OF GEARY, SS:

The foregoing Grant of Temporary Construction Easement was acknowledged before me this _____ day of _____, 2012 by _____, the _____ of JKJ Rental, LLC.

Notary Public

My Commission Expires:

Exhibit "A"

Legal Description of JKJ Rental Temporary Construction Easement Area

A STRIP OF LAND OVER A PORTION OF LOT 1, BLOCK 3, JOHNSON'S 2ND ADDITION IN THE CITY OF JUNCTION CITY, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING FOR CONSTRUCTION EASEMENT PURPOSES ONLY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1;

THENCE ON A PLATTED BEARING OF S 71°47'17" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF EAST ASH STREET, A DISTANCE OF 30.29 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED;

THENCE N 17°19'08" E A DISTANCE OF 46.67 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1;

THENCE N 65°39'14" E, ALONG SAID NORTH LINE, A DISTANCE OF 40.16 FEET;

THENCE S 17°19'08" W A DISTANCE OF 73.83 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE;

THENCE N 71°47'17" W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING. CONTAINS 1807.44 SQUARE FEET.

END OF DESCRIPTION

GRANT OF TEMPORARY CONSTRUCTION EASEMENT

STATE OF KANSAS, COUNTY OF GEARY, SS:

For and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned ("Grantor") hereby grants to the City of Junction City, Kansas, a municipal corporation located in Geary County, Kansas, and its successors and assigns, a temporary construction easement over, under, and through the following described real estate for the purpose of constructing a culvert, storm sewer, drainage ditch, or other drainage facility tributary connections and appurtenances thereto (collectively, the "Drainage Facility"):

See attached legal description on Exhibit "A,"

together with the right of ingress and egress for all purposes incident to said grant.

This Grant of Easement shall run for the construction period, beginning on the date of execution of this document and terminating ninety days after completion of construction of the Drainage Facility; provided, however, that, if not sooner terminated, this Easement will expire on September 1, 2012.

IN WITNESS WHEREOF:

The Grantor herein has caused this Grant of Temporary Construction Easement to be executed this instrument this _____ day of _____, 2012.

Print Name

Print Name

STATE OF KANSAS, COUNTY OF GEARY, SS:

The foregoing Grant of Temporary Construction Easement was acknowledged before me this _____ day of _____, 2012 by _____.

Notary Public

My Commission Expires:

Exhibit "A"

Legal Description of Rothwell Temporary Construction Easement Area

A STRIP OF LAND OVER A PORTION OF LOT 1, BLOCK 1, JOHNSON'S 2ND ADDITION IN THE CITY OF JUNCTION CITY, COUNTY OF GEARY, STATE OF KANSAS, SAID STRIP BEING FOR TEMPORARY CONSTRUCTION PURPOSES ONLY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1;
THENCE ON A PLATTED BEARING OF S 18°17'30" W ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 427.64 FEET TO A POINT ON THE SOUTH LINE OF LOT 2 OF SAID JOHNSON'S 2ND ADDITION;
THENCE S 71°42'30" E ALONG SAID SOUTH LINE, A DISTANCE OF 10.27 FEET;
THENCE S 41°12'57" E A DISTANCE OF 81.63 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1;
THENCE S 23°48'02" W, ALONG SAID EAST LINE, A DISTANCE OF 44.13 FEET;
THENCE N 41°12'57" W A DISTANCE OF 123.45 FEET;
THENCE N 18°17'30" E, PARALLEL TO AND 30.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 253.27 FEET;
THENCE N 09°03'49" E A DISTANCE OF 170.57 FEET;
THENCE N 17°19'08" E A DISTANCE OF 28.64 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAST ASH STREET;
THENCE S 71°47'17" E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 57.84 FEET TO THE POINT OF BEGINNING. CONTAINS 20,480.82 SQUARE FEET.
END OF DESCRIPTION

SECTION 456.080: - STORM DRAINAGE FEE

A. *Fee.* There is hereby assessed against all property within the City a storm drainage fee. Such fee is based upon a determination, using accepted engineering principles, of impact on the storm drainage system of uses within each property category as set forth hereinafter. The fee shall assessed from and after the effective date of this Chapter.

B. *Definitions.* For the purpose of this Section 456.080, the following definitions shall apply:

DEVELOPED RESIDENTIAL PROPERTY: Real property which has been altered from its natural state by the creation or addition of impervious surfaces, by the addition of any buildings, structures, pavement or other improvements for residential uses.

IMPERVIOUS SURFACE: A surface which is compacted or covered with material that is resistant to infiltration by water including, but not limited to, most conventionally surfaced streets, roofs, sidewalks, patios, driveways, parking lots, and any other oiled, graveled, graded, compacted, or any other surface which impedes the natural infiltration of surface water.

LIVING UNIT: One (1) or more rooms in a residential use building which are arranged, designed, used or intended for use by one (1) family and which includes cooking space and lawful sanitary facilities reserved for the occupants thereof.

OTHER DEVELOPED PROPERTY: Property which has been altered from its natural state by the creation or addition of impervious surfaces, by the addition of any buildings, structures, pavement or other improvements for uses other than residential uses. Such property shall include, but not be limited to, commercial properties, industrial properties, agricultural properties, parking lots, hospitals, schools, recreational and cultural facilities, hotels, offices and churches.

OTHER UNDEVELOPED PROPERTY: Property zoned for any use other than residential use on which there is no improvement by the addition of any buildings, structures, pavement or other improvements or impervious surfaces.

UNDEVELOPED RESIDENTIAL PROPERTY: Property zoned for residential use on which there is no improvement by the addition of any buildings, structures, pavement or other improvements or impervious surfaces.

C. *Property Classifications.* For purposes of determining the storm drainage fee, all properties in the City of Junction City, Kansas, are classified into one (1) of the following categories:

1. Developed residential property.
2. Undeveloped residential property.
3. Other developed property.
4. Other undeveloped property.

D. *Fees Assessed.*

1. The storm drainage fees for developed residential property shall be assessed per living unit as follows:

- a. Five dollars (\$5.00) per month per living unit; and
- b. For each living unit served by more than one (1) water meter, three dollars (\$3.00) per month per additional water meter.

2. The storm drainage fees for undeveloped residential property are three dollars (\$3.00) per month per lot or tract.

3. The storm drainage fees for other developed property shall be based upon area of such property and are assessed as follows:

Area of Other Developed Property	Monthly Fee
Less than or equal to 20,000 square feet	\$15.00
From 20,001 to 100,000 square feet	\$32.00
From 100,001 to 200,000 square feet	\$49.00
From 200,001 to 400,000 square feet	\$66.00
From 400,001 to 1,000,000 square feet	\$83.00
From 1,000,001 and above square feet	\$100.00

4. The storm drainage fees for other undeveloped property shall be based upon area of such property and are assessed as follows:

Area of Other Undeveloped Property	Monthly Fee
Less than or equal to 20,000 square feet	\$4.00
From 20,001 to 100,000 square feet	\$8.00
From 100,001 to 200,000 square feet	\$12.00
From 200,001 to 400,000 square feet	\$16.50
From 400,001 to 1,000,000 square feet	\$21.00
From 1,000,001 and above square feet	\$25.00

5. In determining the area of property developed or zoned for a particular use, the area measured shall include all property contiguous to the particular use and under the same ownership, except that if a portion of said property that is both unimproved and legally subject to being subdivided from that portion actually devoted to the primary use. In situations where property is used in common with more than one (1) use, the common area shall be included with each use in the same proportions as the area of each use bears to the area of the total of all uses. In situations where property is devoted to uses on more than one (1) level, the area of the property shall be proportionately divided among the levels and the storm drainage fees shall be assessed pro rata.

E. *Revenue.* The revenue generated by this fee shall be set aside in a special fund to be used only for the construction, reconstruction, maintenance and repair of storm drainage system facilities, including the acquisition and related costs thereof of real estate for such use. In addition, said fund may

be used to pay fees to study and prepare documents related to such facilities and to make payments of principal and interest on bonds issued for such improvements. Nothing in this Section shall be deemed to limit or restrict the City's ability to use and obtain other sources of funds for the same or similar purposes.

F. *Collection.* The following provisions govern billing and collection of storm drainage fees:

1. For water metered properties utilizing the existing City water utility services, the storm drainage fees set forth above may be included as part of the monthly bill for water service, but shall be identified separately on said billing, said fees shall be due at the same time as water charges are due and the failure to pay said fees shall be considered a failure to pay water charges and enforceable pursuant to Section 700.200 of this Code.
2. For properties not utilizing the existing City water utility services, the storm drainage fees may be separately billed to the person designated in the Geary County property tax records as owner of the property for ad valorem real estate tax billings. Such bills may be mailed by the City monthly, but shall be billed at least annually.
3. In addition, any time City water service is initially established or re-established to a property, all fees hereunder shall be paid current, as of the date such water service is established or re-established.
4. The owner or occupant of the property and, in the case of water metered property, any person who is responsible for the payment of water service to the property shall all be jointly and severally responsible for the payment of said fee. Persons responsible for the payment of water service to the property shall include the person responsible for payment for water provided to a master meter that is then distributed to multiple users, whether or not said users are located on the same property as the master meter.
5. To the extent permitted by applicable law, the storm drainage fee shall be subject to interest for late payment at a rate that is the same as the rate prescribed in K.S.A. 79-2004, as amended, and K.S.A. 79-2968, as amended, shall constitute a lien on the applicable property in the same manner as City ad valorem real property taxes and shall be collected in the same manner as City ad valorem real property taxes collected by Geary County, regardless of whether the storm drainage fee was incurred when a property owner was in possession of the property or a non-owner was in possession of the property.

G. *Appeals.* The following provisions govern appeals of determinations of storm drainage fees:

1. Any person who disagrees with the calculation of their storm drainage fee or who believes that the actual amount of impervious area located upon their property justifies a reduction in the square footage of their property used to calculate the fee, in order to make their fee consistent with other uses with a similar amount of impervious area, may appeal the determination of their fee to the City Engineer. The appeal shall be in writing. The City Engineer shall thereafter hold an informal hearing. The City Engineer, prior to such hearing, may request that the appealing party provide information concerning the basis of the appeal, including a land survey showing dwelling units, total property area and impervious area, as appropriate, if such information is deemed to be material by the City Engineer. Based upon information provided, the City Engineer shall make a determination of the storm drainage fee for such property. The City Engineer shall notify parties in writing of his/her decision.

2. A person shall have the right to appeal the decision of the City Engineer to a board comprised of the City Manager or his/her designee, the Director of Public Works and a member of the City Commission. Such appeal shall be made within fifteen (15) days of the date of the written decision of the City Engineer. Such appeal shall be in writing and filed with the City Engineer. A hearing on such appeal shall be held within thirty (30) days from the date of filing and the applicant shall be given seven (7) days' advance notice of the time and date of such hearing. Within seven (7) days after the conclusion of such hearing, the Board shall render a decision in writing that sets forth findings that support its decision. The decision of the Board shall be final and any further appeal of such decision shall be to the District Court pursuant to K.S.A. 60-2101(d).

(Ord. No. G-1048 §1, 4-21-09)

Backup material for agenda item:

- d. Consideration of a professional service contract to Olsson Associates for the development and completion of a Nutrient Removal Study for the Southwest Wastewater Treatment Plant. Assistant City Manager McCaffery presenting.

City of Junction City

City Commission

Agenda Memo

March 6, 2012

From: Gregory S. McCaffery, Assistant City Manager

To: Gerry Vernon, City Manager and City Commissioners

Subject: Award of Professional Engineering Services Contract – Nutrient Removal Feasibility Study for the Southwest Wastewater Treatment Plant

Objective: Consideration and approval of a professional service contract to Olsson Associates for the development and completion of Nutrient Removal Feasibility Study for the Southwest Wastewater Treatment Plant

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Explanation of Issue: City back in August 2011 entered into a Consent Order with KDHE, regarding a non-compliance issue, involving the lack of completion of the required Nutrient Removal Study for the SW WWTP. This was a result of the City's financial conditions over the last several years. This study is required as part of the NPDES (National Pollutant Discharge Elimination System) permit for the SW WWTP. A similar study has been completed for the East WWTP (2008).

The Consent Order indicates this study is to be completed by the City during the 2012 budget year and within two years of the Consent Order. This type of study can take up to 7/9 months to complete, dependent on the level of process evaluation needed at the plant, and the overall financial reviews involved

Because of the costs involved for this type of study and the desire to adhere to City Fiscal Policy, City staff developed a Request For Proposal (RFP), which included a scope of work: an outline for selection process and evaluation criteria; and further direct solicited and advertised for these services through The Daily Union and the City website.

The RFPs were submitted to the City Clerk February 16, 2012, and the bid amounts were read, as these consisted as one part of the selection process. The RFPs were reviewed by City staff using a weighted selection process, which was provided to the various consultants as part of the RFP. This process reviewed and evaluated each consultant on not only price, yet more importantly on their experience, qualifications and overall approach to completing the Nutrient Removal Study. Attached find an evaluation summary which outlines each consultant, their rating for each area, total bid amount, and final rating score, which is a summation of the City staff reviews for the RFPs submitted.

These are further summarized below:

Consultant (Bidder)	Overall Rating Score	Bid Amount
Olsson Associates	95	\$37,975.00
Burns & McDonnell	86	\$35,300.00
O'Brien & Gere/ BG Consultants, Inc	67	\$52,400.00
SMH Consultants	59	\$33,880.00

Budget Impact: Funding for this project is available within the Water and Sewer Funds

Special Considerations: No other individuals and/ or firms objected to the RFPs as submitted.

Alternatives: The Commission may approve, deny, or postpone this item.

Recommendation: Staff recommends approval of the award of a Professional Engineering Service Agreement to Olsson Associates, of Manhattan, KS, in an amount not to exceed \$37,975.00, based on their qualifications selection process rating and the bid amount received.

Suggested Motion:

Commissioner _____ moves to approve Award of Professional Engineering Services Contract to _____.

Commissioner _____ seconded the motion.

Enclosures

Direct Solicited	Consultant (Bidder)	Project Lead Experience & Qualifications			Rating (25%)	Project Team Exp. & Qualifications	Rating (20 %)	Capability of meeting the Project Schedule	Rating (15 %)	Quality Assurance/ Quality Control Plan	Rating (15 %)	Proposal Costs (Total Bid)		Rating (25%)	Overall Rating
		Lead Exp	Qualifications	Similar Projects/ Experience		Exp.		Timeframe Days		Staff Exp		Techincal Hours	Total Costs		
	Olsson Assoc	20 plus yrs	Project Mgr Exp./ Pants/ Industrial Exp.	Industrial Coord./ Design exp. WWTP	23	WTP/ WWTP Cert. Opr./ Frontenac, KS WWTP	20	156	12	Company program/ Single Point of Contact	15	307	\$37,975	25	95
Yes	Burns & McDonnell	20 plus yrs	SW WWTP Design/ Nut. Study Various/ Prjt Mgr. Exp.	Exp. w/ Various Junction City Projects	25	Various Meat Packing Studies/ East WWTP Nut. Stdy.	17	270	8	Company program/ Single Point of Contact	15	155	\$35,300	22	87
Yes	SMH Consultants	15 plus yrs	WWTP Design	Various WWTP/ Phillisburg, KS	15	Mostly Storm/ Utilities Exp.	5	230	10	Pillisburg, KS Exp./ Develop. Exp.	5	286	\$33,880	24	59
YES	O'Brien & Gere/ BG Consultants, Inc.	15 plus yrs	Various Nut. Study Exp.	Salam, OH/ VA Areas WWTP	20	KDHE Exp./ Constr Exp.	10	Not provided	0	Various VA Projects in Nut. Removal	15	290	\$52,400	22	67

Yes	Albert Benesh, Inc	No Proposal Submitted
Yes	Wilson & Company	
Yes	Schwab- Easton, P.A.	
Yes	CFS Engineers	
Yes	KAW Valley Engineering, Inc.	

**CITY OF JUNCTION CITY
JUNCTION CITY, KANSAS**

**REQUEST FOR PROPOSAL (RFP)
– PROFESSIONAL ENGINEERING SERVICES**

**SOUTHWEST WASTEWATER TREATMENT PLANT
NUTRIENT REMOVAL FEASIBILITY STUDY**

OVERVIEW

The City of Junction City (City) is soliciting proposals from qualified professional engineering consulting firms to provide professional engineering services for the completion of a Nutrient Removal Feasibility Study for the Southwest Wastewater Treatment Plant (SW WWTP). This is a qualifications based selection process with a weighted evaluation selection process.

Five (5) copies of the proposal package shall be submitted in a sealed envelope labeled "Proposal for Professional Engineering Services – "Southwest Wastewater Treatment Plant – Nutrient Removal Feasibility Study" in the center and the name of the firm submitting the proposal clearly identified in the upper left hand corner on or before **3:30 P.M. local time, February 16, 2012**. The proposal package shall be delivered to the Junction City Hall, City Clerk's Office, located at 700 N. Jefferson, Junction City, Kansas 66441. Questions concerning this solicitation shall be directed to Greg McCaffery, P.E., Assistant City Manager, (785)-238-3103 or email greg.mccaffery@jcks.com.

For specific instructions on information to include in the Proposal, refer to the section entitled *Proposal Elements*. Evaluation of the Proposals and ultimate consultant selection is identified in the section entitled *Selection Process and Evaluation Criteria* below.

PROJECT DESCRIPTION

The purpose of the nutrient removal feasibility study is to provide the City an overview of existing facility conditions and to address one of the SW WWTP NPDES permit requirements. The City of Junction City will through plant operational (Veolia Water) and City staff provide various data and information in order to complete an engineering and financial impact evaluation. The consultant will review the materials for determination on needed monitoring, and sampling at the SW WWTP. The study will include the following: Conceptual Process and Feasibility Designs, Conceptual Process flow Diagrams, Prepare Capitol Cost Opinions, Prepare Conceptual Operating and Maintenance (O & M) Cost Opinions, Complete Financial Analyses, Prepare Draft Report, and Prepare and Submit Final Report.

SCOPE OF WORK

The Scope of Work will include, at a minimum, the following tasks as outlined. The consultant shall provide a brief summary for each tasks, including itemized man-hours and costs within their overall RFP submittal. The tasks outline is provided in order to assist the consultant in formulating their proposal for the services being requested

Task 1-Project Start-up and Request For Information

The consultant shall prepare and submit a written request to the City in order to obtain the necessary data and information to complete the engineering and financial impact evaluation and prepare a letter report. A kick-off meeting will be required as part of the overall costs of the project. Also it is recommended that a site visit be included as part of the overall project.

Task 2-Review and Evaluate Existing WWTP Information and Data

The consultant shall review and evaluate all available information, data, etc. The Review will be used to determine if additional facility information, monitoring data and wastewater sampling are needed to complete the study. If necessary, consultant will prepare and submit to City a brief memorandum requesting any appropriate, additional information, wastewater sampling and laboratory analyses needed for the study.

The City will provide the needed staffing and expenses to conduct the additional process monitoring, wastewater sampling and laboratory analyses required to complete the study.

Task 3-Develop Conceptual Process and Facility Designs

The Consultant will develop the conceptual processes and facility designs for three (3) nutrient removal goals. The design will modify and if necessary, expand the existing WWTP facilities to reach each nutrient removal goal. In developing the design for each goal, the consultant shall consider the following:

Process and operational changes.

Improvements to existing WWTP facilities including sludge process and handling facilities.

The consultant shall complete the following subtasks under Task 3:

- Develop basis of design.
- Evaluate and size activated sludge facilities.
- Size and evaluate tertiary filtration facilities
- Evaluate sludge handling facilities.

Task 4-Prepare Conceptual Process Flow Diagrams

The consultant shall prepare a conceptual process flow diagram for the existing WWTP facilities and conceptual facilities for each nutrient removal goal. The consultant shall submit draft process flow diagrams to the City for review and comment.

Task 5-Prepare Capital Cost Opinions

The consultant shall prepare a capital cost opinion for any required additional WWTP improvements required for each nutrient removal goal. These capital cost opinions will be used in the evaluation of the economic impact on the City's and industrial contributor to meet each nutrient removal goal.

Task 6-Prepare Conceptual Operating and Maintenance (O&M) Cost Opinions

The consultant shall prepare conceptual O&M cost opinions for the WWTP Improvements required for each nutrient removal goal. The cost opinions will be used in the evaluation of the economic impact to the City and industrial contributor to meet each nutrient removal goal. The consultant will need the City's assistance in providing current utility rates, customer sewer costs, the City's staff labor rate, etc. The consultant will need the industrial contributor's assistance in providing certain financial information.

Task 7-Complete Financial Analyses

The consultant shall complete a financial analysis for each nutrient removal goal in Accordance with KDHE's screening procedures and criteria. KDHE currently uses EPA's March 1995 document "Interim Economic Guidance for Water Quality Standards-Workbook." The consultant shall need assistance from the City to provide some information including the current median customer sewer cost, funding interest rates, etc.

Since the industrial contributor is a significant source discharging to the Southwest WWTP, KDHE will require a separate financial analysis for the City and industrial contributor. The industrial contributor will need to provide certain financial information.

Task 8-Prepare Draft Letter Report

The consultant shall prepare a draft letter report that summarizes the study's findings and recommendations. This draft letter report will be submitted to the City for review and comment. This task includes a meeting with City staff and possibly, the industrial contributor in Junction City to discuss the report and comments provided by the City.

Task 9-Prepare and Submit Final Letter Report

Based on the comments and changes requested by the City, the consultant shall prepare the final letter report. The number of requested copies of the final report will be submitted to City and a copy of the report will be submitted to KDHE. This task shall include costs for a post-report presentation to the City and participation in one follow-up meeting with KDHE.

RESPONSIBILITIES OF CITY OF JUNCTION CITY

In order to facilitate the Nutrient Study the City shall provide the following:

Assistance by placing at consultant's disposal all available information pertinent to the assignment, including previous reports and any other data relative thereto.

The City will be responsible for all staffing and expenses to conduct the additional process monitoring, wastewater sampling and laboratory analysis as indicated in Task 2 and required to complete the study.

The City assist in providing current utility rates, customer sewer costs, the City's staff labor rate, etc.

The City and its industrial contributor will assist in providing the needed information as described in Task 7 and 8, including the current median customer sewer cost, funding interest rates, etc.

PROPOSAL COSTS

Project Costs shall include the staff hours, hourly rate, overhead costs, sub-totals & total project costs for the total project costs. *No additional costs shall be incurred by the City for overhead expenses for travel, printing, reproduction, etc.; these are to be included within the total proposal costs for the project.*

DELIVERABLES

Three (3) -Hard Copies of the Final Nutrient Study Report and also Electronic Copies. The completed documents shall be the sole ownership of the City of Junction City, and for their purposes and sole use.

PROPOSAL ELEMENTS

This proposal is limited to ten (10) double-sided pages including appendixes (excluding cover and dividers), and should present the design team qualifications for this project and shall identify the following:

- The Project Team.
- Project Team member roles in the project
- Team shall consist of a Project Lead who shall be responsible for the overall perform all site evaluations, interviews, document reviews and report developments.
- The Project Team's approach to the project subject per the task outlines.
- The Project Team's estimate of itemized and total man hours to be utilized on this project.
- The Project Team's anticipated project schedule.
- The firm's process/procedures for providing quality assurance/quality control throughout the life of the project.
- Qualifications of the proposed Project Team members, including resumes for all Project Team members.
- Project Costs, outlining and itemizing through staff hours, hourly rate, overhead costs, sub-totals & total project costs for the total project costs.

SELECTION PROCESS AND EVALUATION CRITERIA

A committee of City personnel will be appointed by the City to evaluate and rate the proposals to these criteria based below:

Project Lead experience and qualifications.	(25%)
Project Team experience and qualifications.	(20%)
Capability of meeting the project schedule.	(15%)
Quality Assurance / Quality Control Plan.	(15%)
Proposal Costs (Total Bid).	(25%)

Following evaluation of the Proposals, the City will select a consultant. There will be no interviews for this particular proposal.

SELECTION AND PROJECT SCHEDULE

The City's proposed schedule for consultant selection, subject to change, is as follows:

Advertise for Proposals	January 25 & February 1, 2012
Deadline for Submittal of Proposals	February 16, 2012
Selection of Firm (City Commission Award)	February 21, 2012
Notify Selected Firm	February 22, 2012
Execution of Agreement	February 24, 2012
Completion of Nutrient Study	November 30, 2012

TERMS AND CONDITIONS

The City of Junction City reserves the right to reject any and all Proposals and to award or not award a contract for professional engineering services. This solicitation for Professional Engineering Services does not obligate the City of Junction City to pay any costs incurred by respondents in the preparation and submission of a Proposal. This solicitation does not obligate the City of Junction City to accept or contract for any expressed or implied services.

Office of Legal Services
Curtis State Office Bldg.
1000 SW Jackson Suite 560
Topeka KS 66612-1368



File
copy to
Shore H.

Phone: 785-296-1

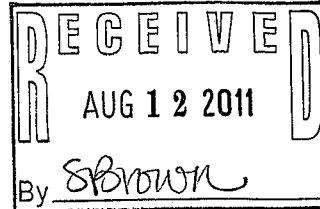
Fax: 785-296-7

Robert Moser, MD, Secretary

Department of Health & Environment

Sam Brownback, Governor

August 5, 2011



Gary Vernon
City Manager
City of Junction City
PO Box 287
Junction City KS 66441

RE: City of Junction City
KWPCP No. M-SH45-OO02
KDHE Case No. 11-E-88 BOW

Dear Mr. Vernon:

Enclosed please find a copy of the executed Consent Order in the above-referenced matter. If you have any questions or require any additional information, please do not hesitate to contact Tim Keck at 785 296-1291.

Sincerely,

Susan L. Vogel
Public Service Administrator

Enclosure

c Shelley Shores-Miller
w/enclosure

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

IN THE MATTER OF:

Case No. 11-E-88 BOW

JUNCTION CITY, CITY OF
P.O. BOX 287
JUNCTION CITY, KANSAS 66441

JUNCTION CITY SOUTHWEST WASTEWATER TREATMENT PLANT
Kansas Water Pollution Control Permit No. M-SH45-0002
Federal NPDES Permit No. KS0092151

Proceeding Under K.S.A. 65-164

CONSENT ORDER

PRELIMINARY STATEMENT

The parties hereto, the Kansas Department of Health and Environment (KDHE) and the city of Junction City (Permittee) having agreed that settlement of this matter is in the best interests of both parties and conducive to protection of public health and the environment, hereby represent and state as follows:

STATUTORY AUTHORITY

1. The KDHE is a duly authorized agency of the State of Kansas created by an act of the legislature. The Secretary of the KDHE (Secretary) has general jurisdiction over matters involving the environment and the public health of the people of Kansas, K.S.A. 65-101 *et seq.*, including general jurisdiction of matters involving the discharge of sewage, K.S.A. 65-161 *et seq.*
2. Pursuant to K.S.A. 65-164 *et seq.*, any person discharging wastewater or planning to discharge wastewater to waters of the State is required to obtain a KDHE-issued permit for such discharges. The permit provides information about the permitted facility, operating and record keeping requirements and other conditions required pursuant to Kansas Statutes and Regulations. Requirements of the permit are enforceable under the authority of the Secretary of the KDHE (K.S.A. 65-101 and 65-164 *et seq.*) and the KDHE Director of the Division of Environment (K.S.A. 65-170 *et seq.*).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

3. Kansas Water Pollution Control Permit No. M-SH45-0002 (Permit), incorporated herein, was issued to the city of Junction City, P.O. Box 287, Junction City, KS 66441 (Permittee) with an effective date of January 1, 2010 and an expiration date of August 31, 2014 for operation of the Junction City Southwest Wastewater Treatment Plant.

4. The Permit's Schedule of Compliance states:

"SCHEDULE OF COMPLIANCE

Within two years of the effective date of this permit [by January 1, 2012], the permittee shall conduct studies to assess the cost and feasibility for this facility to meet the following effluent nutrient goals as annual averages:

Goal	1	2	3
Total Nitrogen (as N) - mg/l	8.0	5.0	3.0
Total Phosphorus (as P)- mg/l	1.5	0.5	0.3

The studies will include operational and capital costs for 1) operational changes only, if feasible, 2) biological treatment additions and 3) physical and chemical treatment additions to meet the stated goals, including industrial pretreatment."

5. In a June 22, 2011 letter to KDHE, Mr. Gerry Vernon, city manager, wrote the following, in pertinent part, in regard to the Schedule of Compliance above.

"...During the past two years the City of Junction City experienced a series of setbacks related to the unprecedented build-up of housing infrastructure in anticipation of growth at Fort Riley. In part, this has placed a financial burden on the city of Junction City and we are requesting the 12 month delay as we are financially getting our house in order. The delay will allow us to properly budget for this study in the 2012 budget year..."

6. After review, KDHE hereby concurs with Junction City's requested change to the Schedule of Compliance in the Permit.
7. The KDHE has determined that settlement of this matter as set forth herein is consistent with the statutes and regulations controlling water pollution.

PARTIES BOUND

8. The Secretary of KDHE has authority and jurisdiction to issue this Consent Order (CO) and to enforce the same. In any action by KDHE to enforce the terms of this CO, the Permittee agrees not to contest the authority or jurisdiction of the Secretary of KDHE to issue or enforce this CO. The terms of this CO shall be construed pursuant to the laws of the state of Kansas.
9. This CO shall apply to and be binding upon the parties, their agents, successors, and assigns. The parties agree to undertake all actions required of them by the terms and conditions of this CO.
10. Notwithstanding the terms of any contract, the Permittee is responsible for compliance with this CO and for insuring that its contractors and agents comply with this CO.
11. The activities conducted under this CO are subject to approval by KDHE. The Permittee shall provide all necessary information requested by KDHE consistent with this CO.
12. This CO is meant to be a full resolution of the matters set forth herein.

LIABILITY

13. Nothing in this CO shall be considered an admission of fact or an acknowledgment of any liability by any party. Nothing herein shall be legally binding or have any effect on the position of the parties on any matter that may be included in any other agreements negotiated between them. Neither the State of Kansas, nor any agency thereof shall be held out as a party of any contract entered into by the Permittee in carrying out activities pursuant to this CO.

TERMS AND CONDITIONS OF THE SETTLEMENT

14. The parties hereby agree to modify the Schedule of Compliance in the Permit allowing an extension to the nutrient study completion date from January 1, 2012 to January 1, 2013. By March 1, 2013, the Permittee shall submit the results of the studies to KDHE for approval.

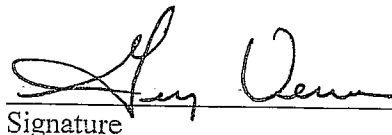
EFFECTIVE DATE, TERMINATION

15. This Consent Order shall become effective when signed by the Secretary of the Kansas Department of Health and Environment.
16. This CO will be terminated upon written notice by KDHE to the Permittee that the **TERMS AND CONDITIONS OF THE SETTLEMENT** have been completed. Such notice shall not be unreasonably withheld by KDHE.

AUTHORIZATION OF SIGNATORIES TO EXECUTE THE CONSENT ORDER AND BIND THE PARTIES

The parties hereto have affixed their signatures on the dates inserted below to acknowledge their agreement to this CO. The signatories to this CO certify that they are authorized to execute and legally bind the parties they represent to this CO.

PERMITTEE


Signature

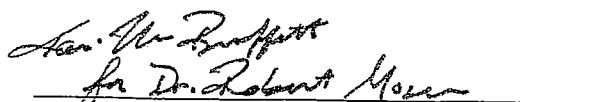
7/21/11
Date

Gerry Vernon
Printed Name

City Manager
Title

Junction City, City of
Organization

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

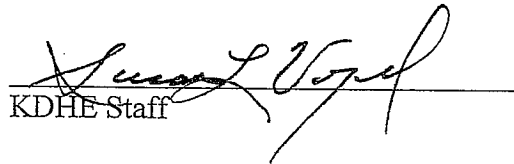

Robert Moser, MD, Secretary
Kansas Department of Health and Environment

7-29-2011
Date

CERTIFICATE OF MAILING

I hereby certify that on the 5 day of August, I caused a true and correct copy of the foregoing instrument to be deposited in the United States Mail, first class, postage prepaid and addressed as follows:

Gary Vernon
City Manager
City of Junction City
PO Box 287
Junction City KS 66441


KDHE Staff

Backup material for agenda item:

- e. Consideration of a professional service contract to Albert Benesch & Company for the development and completion of separate assessment studies for the Water, Southwest Wastewater and East Wastewater Treatment Plants. Assistant City Manager McCaffery presenting.

City of Junction City

City Commission

Agenda Memo

March 6, 2012

From: Gregory S. McCaffery, Assistant City Manager

To: Gerry Vernon, City Manager and City Commissioners

Subject: Award of Professional Engineering Services Contract – Assessment Study for the Water, Southwest Wastewater and East Wastewater Treatment Plants

Objective: Consideration and approval of a professional service contract to Albert Benesch & Company for the development and completion of separate assessment studies for the Water, Southwest and East Wastewater Treatment Plants.

Explanation of Issue: City staff back in December 20, 2011, provided a recommendation to award a contract for the development and completion of three separate assessment studies for the three treatment plant facilities in order to have an assessment of the operational and maintenance assessment of the process equipment, general maintenance and systems at each of these three plants. Further, because of the City's recently adopted Fiscal Policy and the overall combined professional services costs, the City Commission rescinded these contracts, and requested that services such as these should be competitively bid.

City staff developed a Request For Proposal (RFP), an outline for selection process and evaluation criteria and further direct solicited and advertised for these services through The Daily Union and the City website.

These three plants, as the City Commission is aware, are operated and maintained by Veolia Water as part of the overall Public Works Operations.

The intent of the assessment will be to provide the City the means for plant operational & maintenance adjustments, recommendations for current and future operations, as well as, used in the prioritization of future capital improvement projects at each plant facility.

The RFPs were submitted to the City Clerk February 16, 2012, and the bid amounts were read, as these consisted as one part of the selection process. The RFPs were reviewed by City staff using a weighted selection process, which was provided to the various consultants as part of the RFP. This process reviewed and evaluated each consultant on not only price, yet more importantly on their experience, qualifications and overall approach to completing the assessment studies for each plant. Attached find an evaluation summary which outlines each consultant, their rating for each area, total bid amount, and final rating score, which is a summation of the City staff reviews for the RFPs submitted.

These are further summarized below:

Consultant (Bidder)	Overall Rating Score	Bid Amount
Albert Benesch, Inc	90	\$69,840.00
Olsson Associates	82	\$69,270.00
Burns & McDonnell	78	\$48,600.00
Shafer, Kline & Warren, Inc.	70	\$39,200.00

Budget Impact: Funding for this project is available within the Water and Sewer Funds

Special Considerations: No other individuals and/ or firms objected to the RFPs as submitted.

Alternatives: The Commission may approve, deny, or postpone this item.

Recommendation: Staff recommends approval of the award of a Professional Engineering Service Agreement to Albert Benesch, Inc., of Manhattan, KS, in an amount not to exceed \$69,840.00, based on their qualifications selection process rating and the bid amount received.

Suggested Motion:

Commissioner _____ moves to approve Award of Professional Engineering Services Contract to _____.

Commissioner _____ seconded the motion.

Enclosures

Direct Solicited	Consultant (Bidder)	Project Lead Experience & Qualifications			Rating (35%)	Project Team Exp. & Qualifications	Rating (15 %)	Capability of meeting the Project Schedule	Rating (15 %)	Quality Assurance/ Quality Control Plan	Rating (10 %)	Proposal Costs (Total Bid)							Rating (25%)	Overall Rating
		Lead Exp	Qualifications	Similar Projects/ Experience		Exp.		Timeframe		Staff Exp		Hours (Total)			Costs per Assessment			Total Costs		
												WTP	SW WWTP	East WWTP	WTP	SW WWTP	East WWTP			
Yes	Albert Benesh, Inc	10 plus yrs	Direct hands exp./ WTP & WWTP Repairs/ Design	Larned, KS/ various WWTP & WTP	30	WTP/ WWTP Cert Opr.	12	136 hours on site/ 3 staff on-site	15	Cert. Opr./ draft reviews by City	8	196	172	172	\$ 25,600	\$ 22,120	\$ 22,120	\$69,840	25	90
	Olsson Assoc	10 plus yrs	Project Mgr Exp./ Pants/ SCADA Exp.	Design exp. WWTP & WTP	30	WTP/ WWTP Cert. Opr./ Sioux WWTP	12	86 hours on site/ 4 staff on-site	8	Company program	7	237	131	131	\$19,707 + \$2,244 + \$2,804 = \$24,886	\$17,203 + \$1,684 + \$2,244 = \$21,131	\$17,203 + \$1,684 + \$2,244 = \$21,131	\$69,279	25	82
Yes	Burns & McDonnell	10 plus yrs	JC East WWTP/ Project Mgr. Exp.	Exp. w/ Various Junction City Projects	35	Various Junction City System Designs	15	24 hours on site	5	Company program	7	78	78	79	\$ 16,200	\$ 16,200	\$ 16,200	\$48,600	16	78
	Shafer, Kline & Warren, Inc.	10 plus yrs	KDHE Exp./ WWTP Operations Exp.	Desgin exp. WWTP & WTP	25	KDHE Exp./ Constr Exp.	10	84 hours on site/ 3 staff on-site	8	Company program	7	146	138	146	\$ 13,400	\$ 12,400	\$ 13,400	\$39,200	20	70

Yes	SMH Consultants	No Proposal Submitted
Yes	Wilson & Company	
Yes	BG Consultants, Inc.	
Yes	CFS Engineers	
Yes	KAW Valley Engineering, Inc.	
Yes	Schwab- Easton, P.A.	

**CITY OF JUNCTION CITY
JUNCTION CITY, KANSAS**

**REQUEST FOR PROPOSAL (RFP)
– PROFESSIONAL ENGINEERING SERVICES**

**WATER AND WASTEWATER TREATMENT
FACILITIES ASSESSMENT STUDIES**

OVERVIEW

The City of Junction City (City) is soliciting proposals from qualified professional engineering consulting firms to provide professional engineering services for the evaluation and assessment of the City's Water and Wastewater Treatment facilities. This is a qualifications based selection process with a weighted evaluation selection process.

Five (5) copies of the proposal package shall be submitted in a sealed envelope labeled "Proposal for Professional Engineering Services, Water and Wastewater Treatment Facilities Evaluation" in the center and the name of the firm submitting the proposal clearly identified in the upper left hand corner on or before **3:00 P.M. local time, February 16, 2012**. The proposal package shall be delivered to the Junction City Hall, City Clerk's Office, located at 700 N. Jefferson, Junction City, Kansas 66441. Questions concerning this solicitation shall be directed to Greg McCaffery, P.E., Assistant City Manager, (785)-238-3103 or email greg.mccaffery@jcks.com.

For specific instructions on information to include in the Proposal, refer to the section entitled *Proposal Elements*. Evaluation of the Proposals and ultimate consultant selection is identified in the section entitled *Selection Process and Evaluation Criteria* below.

PROJECT DESCRIPTION

The purpose of the facility and assessment evaluations are to provide the City an overview of existing facility conditions and operations for each of its treatment plants. The evaluation and assessment is limited to the process equipment and general maintenance of surrounding areas and is not intended to be an inclusive facility study but a general maintenance and operations report to be used for future operations and maintenance and financial long term capital planning. The evaluations and assessments will be utilized to assist the City in establishing future maintenance and prioritize capital improvement projects. The City may solicit the selected consultant, under separate agreement for one or all of the facility evaluations.

SCOPE OF WORK

The Scope of Work will include, at a minimum, the following elements:

Water Treatment Plant

1. Site Visit to meet with operator and review day to day operations
 - a) Document Existing Facility Conditions (Does not include buildings)
 - b) Review Process Operations
 - c) Review Daily Maintenance Operations
2. Facility includes:
 - a) Well Field
 - b) Water Treatment Plant and on-site operations
 - c) Spruce Street Water Pump Station
3. Meet with Plant operator and review day to day operational procedures and review available data such as historic operational costs, man-hour requirements, and routine maintenance schedules.
4. Review previous studies and permits. Meet with City to review additional paperwork that may be on file.
5. Review existing data for regulatory compliance.
6. Complete Evaluation Report which shall include:
 - a) Description of overall process operations.
 - b) Description and photographs (if applicable) of existing conditions.
 - c) Description of existing maintenance schedule, man-hour utilization and operational costs.
 - d) Recommendations of proposed maintenance and operational procedures.
 - e) Recommendations of short term and long-term capital improvements.

Deliverables: 3-Hard Copies of the Final Facility Evaluation Report and also Electronic Copies.

East Wastewater Water Treatment Plant

1. Site Visit to meet with operator and review day to day operations (multiple days)
 - a) Document Existing Facility Conditions (Does not include buildings)
 - b) Review Process Operations
 - c) Review Daily Maintenance Operations
2. Facility includes:
 - a) Wastewater Treatment Plant and on-site operations
3. Meet with Plant operator and review day to day operational procedures and review available data such as historic operational costs; man-hour requirements; and routine maintenance schedules
4. Review previous studies and permits. Meet with City to review additional paperwork that may be on file.
5. Review existing data for regulatory compliance.
6. Complete Evaluation Report which shall include:

7. Description of overall process operations.
 - a) Description and photographs (if applicable) of existing conditions.
 - b) Description of existing maintenance schedule, man-hour utilization and operational costs.
 - c) Recommendations of proposed maintenance and operational procedures.
 - d) Recommendations of short term capital improvements.

Deliverables: 3-Hard Copies of the Final Facility Evaluation Report and also Electronic Copies.

South West Wastewater Water Treatment Plant

1. Site Visit to meet with operator and review day to day operations (multiple days)
 - a) Document Existing Facility Conditions (Does not include buildings)
 - b) Review Process Operations
 - c) Review Daily Maintenance Operations
2. Facility includes:
 - a) Wastewater Treatment Plant and on-site operations
3. Meet with Plant operator and review day to day operational procedures and review available data such as historic operational costs, man-hour requirements, and routine maintenance schedules
4. Review previous studies and permits. Meet with City to review additional paperwork that may be on file.
5. Review existing data for regulatory compliance.
6. Complete Evaluation Report which shall include:
7. Description of overall process operations.
 - a) Description and photographs (if applicable) of existing conditions.
 - b) Description of existing maintenance schedule, man-hour utilization and operational costs.
 - c) Recommendations of proposed maintenance and operational procedures.
 - d) Recommendations of short term capital improvements.

Deliverables: 3-Hard Copies of the Final Facility Evaluation Report and also Electronic Copies.

PROPOSAL ELEMENTS

This proposal is limited to ten (10) double-sided pages including appendixes (excluding cover and dividers), and should present the design team qualifications for this project and shall identify the following:

1. The Project Team.
 - Project Team member roles in the project
 - Team shall consist of a Project Lead who shall perform all site evaluations, interviews and document reviews.
2. The Project Team's approach to the project.
3. The Project Team's estimate of itemized and total man hours to be utilized on this project.

4. The Project Team's anticipated project schedule.
5. The firm's process/procedures for providing quality assurance/quality control throughout the life of the project.
6. Qualifications of the proposed Project Team members, including resumes for all Project Team members.
7. Project Costs, outlining and itemizing through staff hours, hourly rate, overhead costs, sub-totals & total project costs for each Assessment Study and total project costs.

SELECTION PROCESS AND EVALUATION CRITERIA

A committee of City personnel will be appointed by the City to evaluate and rate the proposals to these criteria based below:

- | | |
|--|-------|
| 1. Project Lead experience and qualifications. | (35%) |
| 2. Project Team experience and qualifications. | (15%) |
| 3. Capability of meeting the project schedule. | (15%) |
| 4. Quality Assurance / Quality Control Plan. | (10%) |
| 5. Proposal Costs (Total Bid). | (25%) |

Following evaluation of the Proposals, the City will select a consultant. There will be no interviews for this particular proposal.

SELECTION AND PROJECT SCHEDULE

The City's proposed schedule for consultant selection, subject to change, is as follows:

- | | | |
|---|---|-------------------------------|
| 1 | Advertise for Proposals | January 25 & February 1, 2012 |
| 2 | Deadline for Submittal of Proposals | February 16, 2012 |
| 3 | Selection of Firm (City Commission Award) | February 21, 2012 |
| 4 | Notify Selected Firm | February 22, 2012 |
| 5 | Execution of Agreement | February 24, 2012 |
| 6 | Completion of Facility Evaluations | April 13, 2012 |

TERMS AND CONDITIONS

The City of Junction City reserves the right to reject any and all Proposals and to award or not award a contract for professional engineering services. This solicitation for Professional Engineering Services does not obligate the City of Junction City to pay any costs incurred by respondents in the preparation and submission of a Proposal. This solicitation does not obligate the City of Junction City to accept or contract for any expressed or implied services.